The following acc[illegible] Pritchard is publishe[d] in the London paper

Edward William [illegible]s the son of Mr John White Pritchard, a [illegible]e Royal Navy, and was born in 1825 at Southsea, [illegible]s. After going through the usual preliminary education, he was apprenticed in September 1840 to Messrs Edward John and Charles Henry Scott, surgeons of considerable practice in Portsmouth. During his apprenticeship he is stated to have assiduously studied the elementary branches of his profession, and conducted himself with great propriety. On the completion of his apprenticeship he came to Melbourne, and entered on his hospital studies at King's College in October 1843; these, also, he prosecuted with great zeal; and his friends being desirous that he should enter the naval service of his country, he memorialised the authorities at the College of Surgeons to be allowed to offer himself for examination at an earlier period than was at that time allowed. His application having been granted, he appeared before the Court of Examiners on the 29th of May 1846, and, after the usual examination, was admitted a member of the College. He then underwent an examination before the Navy Board, and was duly gazetted an assistant surgeon in her Majesty's Navy, and has several relatives in the combatant branch of that service. Those who know what the position of the medical officer in the Royal Navy was at that time, and which is not much improved at the present time, will not be surprised that a highly-educated and accomplished surgeon should endeavour to emancipate himself from such thraldom. He therefore embraced the first opportunity, and resigned all connection with the Royal Navy, and determined on seeking private practice. Finding it was necessary to possess a double qualification, he presented himself before the Society of Apothecaries, and having passed the examination was admitted a licentiate of the hall. He had previously obtained (it is believed by purchase) the "M. D." of Erlangen. He then proceeded to Glasgow, where he practised with great success until his apprehension for a crime second only in atrocity to that of the notorious William Palmer. While waiting for practice he sought amusement and profit in the use of his pen, and became a laborious contributor to the advancement of general and medical science; many of his papers are distributed through the pages of the *Medical Times and Gazette* and the *Lancet*, the Transactions of the Pharmaceutical, Obstetrical, and King's College Medical Societies. He was the author of a "Visit to Pitcairn Island," "Observations on Filey as a Watering Place," "The Guide to Filey and its Antiquities," "Coast Lodgings for the Poorer Cities," &c. Dr Pritchard was a fellow and member of nearly twenty learned societies and institutions in the United Kingdom, and medical officer to several life assurance offices. In personal appearance the convict is a tall, slightly built man, about 5 feet 10 inches or 11 inches in height, with sharp pointed features, aquiline nose, and does not appear older than the age stated—viz., forty-one years.

vote of thanks to the [illegible]

A FURTHER [illegible]ESSION BY DR PR[illegible]ARD.

GLASGOW, THURSDAY NIGHT.

During the week, Dr Pritchard has been visited by four or five clergymen of various denominations in Glasgow. He has spent a good deal of his time in reading works of a religious character, in conversation on pious subjects, and in devotional exercises. He exhibits a very subdued and penitent demeanour, but it is difficult to say whether it is real or assumed, as the man has been so great a hypocrite. The Rev. Dr Norman M'Leod, of the Barony Parish, has been a frequent visitor to the condemned cell, and has, we believe, seriously impressed on the doomed convict the necessity of his making a full confession. Of course, Dr Pritchard has been freely supplied with writing materials, and he has occasionally resorted to the use of them. Yesterday, he showed another confession to some of the ministers and to the Governor of the prison. After it was compared with the first one written by the unhappy man, and with another (but obviously false one) written since, the prison authorities resolved on its being made public, Dr Pritchard having given his sanction. The following is a copy of the document:—

CONFESSION

BY

EDWARD WILLIAM PRITCHARD,

And made in the presence of an all-seeing God and of the Rev. S. Watson Reid, my present spiritual adviser, on the 19th day of July 1865, at Glasgow Prison, for communication to the proper authorities.

I, Edward William Pritchard, in the full possession of all my senses, and understanding the awful position in which I am placed, do make free and open confession that the sentence pronounced upon me is just. That I am guilty of the death of my mother-in-law, Mrs Taylor, and of my wife, Mary Jane Pritchard. That I can assign no motive for the conduct which actuated me, beyond a species of terrible madness and the use of ardent spirits.

I hereby freely and fully state that the confession made to the Rev. R. S. Oldham, on the 11th day of this month, was not true, and I hereby confess that I alone, not Mary M'Leod, poisoned my wife in the way brought out in evidence at my trial. Mrs Taylor's death was caused according to the wording of the indictment, I further state to be true, and the main facts brought out at my trial I hereby fully acknowledge, and now plead wholly and solely guilty thereto, and may God have mercy on my soul.

I pray earnestly for repentance "not to be repented of," and for forgiveness from Almighty God, through the intercession of our Blessed Redeemer, Mediator, and Advocate, Jesus Christ, our Lord and Saviour.

Fellow creatures, pray for me; and let me add, I a[illegible] in charity with all men.

I have now to record my humble thanks to all w[illegible] have taken part in any way for my [illegible]

Dr. Pritchard

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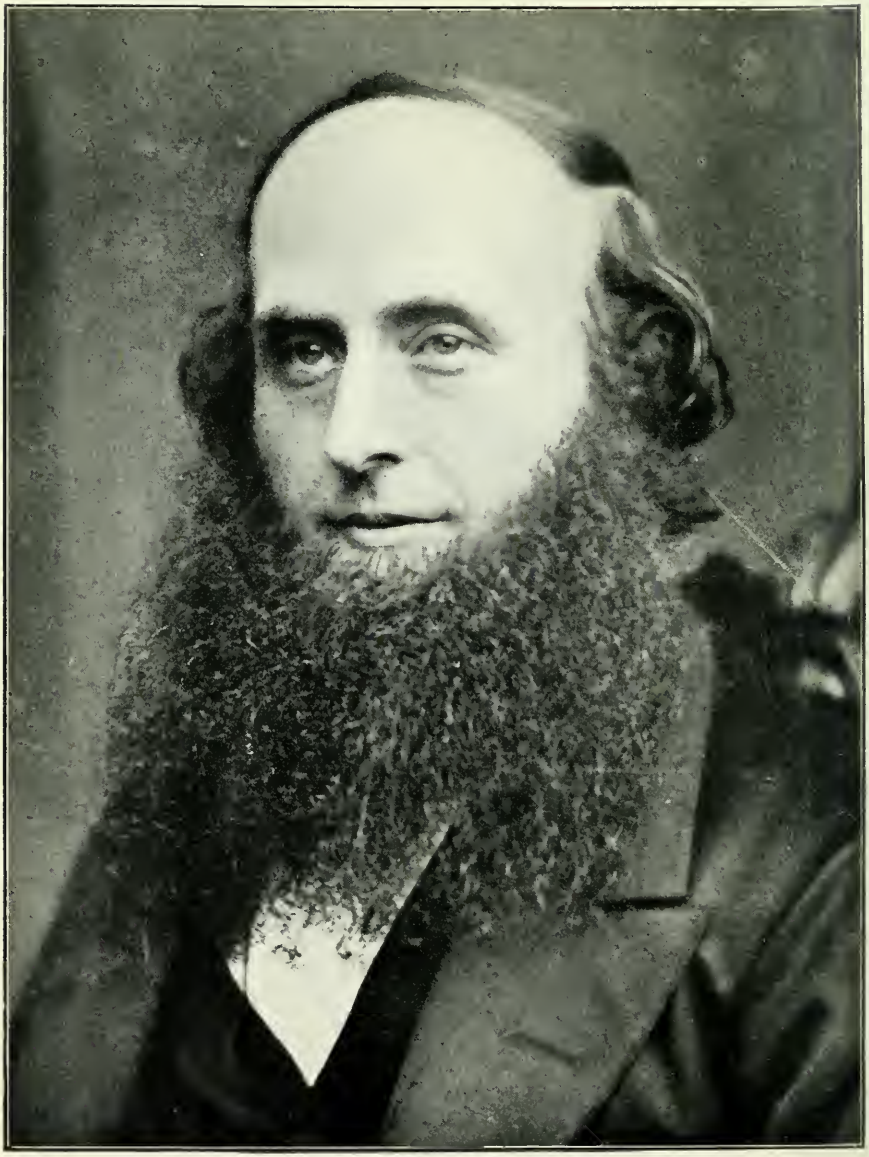

Dr. Pritchard.

Trial of

Dr. Pritchard

EDITED BY

William Roughead

Writer to the Signet

GLASGOW AND EDINBURGH

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TO
DAVID BRAND, ESQ., SHERIFF OF AYR,
THIS VOLUME
IS
BY KIND PERMISSION
RESPECTFULLY DEDICATED
BY
THE EDITOR.

1669163

PREFATORY NOTE.

The following record of this celebrated trial, based upon a careful collation of contemporary reports, will, it is hoped, be found more complete and accurate than those hitherto obtainable. The Editor would here gratefully acknowledge the facilities which have been afforded him in its preparation by the following gentlemen:—The Right Honourable Lord Young, who has favoured the Editor by revising his address to the jury as Solicitor-General; Sir Henry D. Littlejohn, M.D., and Sir William Tennant Gairdner, K.C.B., who have been good enough to revise the evidence given by them at the trial; and Dr. Henry M. Church, Edinburgh, who has kindly read the proof-sheets of the medical and chemical evidence adduced in the case.

For leave to photograph and publish the portrait of the late Lord President Inglis as Lord Justice-Clerk, by Sir Francis Grant, the Editor has to acknowledge the kind permission of Mr. H. Herbert Inglis, W.S. For permission to reproduce the contemporary portraits of Lord Young and the late Lord Rutherfurd Clark, he has to thank the kindness of Mr. Henry A. Young, Advocate, and Mr. T. Rutherfurd Clark, Advocate.

W. R.

Signet Library, Edinburgh,
February, 1906.

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DR. PRITCHARD.

INTRODUCTION.

In the notable series of evil and forbidding portraits which forms our national picture-gallery of crime, the sinister presentment of Dr. Pritchard is entitled to an eminent place. Comprehensive as that collection, unhappily, is, it exhibits no more infamous example of unfeeling cruelty, masked by crafty dissimulation, in the relentless pursuit of a deadly purpose. The secret poisoner is the most dangerous of malefactors; and he is specially to be dreaded when, as here, he prosecutes his subtle design in the two-fold disguise of loving relative and assiduous physician. The relation that existed between the perpetrator and his hapless victims—the one his wife, the other her mother—the affectionate terms upon which they lived; the terrible suffering, which, in the case of the former, it was part of his nefarious scheme to produce and continue during long and painful weeks; and the fact that these two confiding women, in their dire necessity, relied for help upon the very hand that was mercilessly raised against their lives, combine to make this offence one of the blackest recorded in the annals of crime.

The case of Dr. Pritchard, while lacking those elements of romance and mystery which give to that of Madeleine Smith its unique attraction, affords a psychological problem of much interest, and presents many curious and striking features to the student of criminal anthropology. No other trial of the period—excepting the celebrated Rugeley case, with which it has many points in common, suggesting that Pritchard had studied and improved upon the experience of Palmer—excited more widespread attention, not only among members of the medical profession, but also of the general public throughout the United Kingdom. "The scene of the double tragedy," in the words of the Lord Justice-Clerk, "is all confined within the four walls of the dwelling-house in Sauchiehall Street," and but forty years have elapsed since the curtain fell upon that sorry

drama of domestic treachery and sin; yet only in the darkest times of medieval intrigue, when poisoning was reduced to a fine art and practised as a lucrative profession, can we find a parallel to the monstrous nature of its plot and the cynical hypocrisy of its guilty author.

Edward William Pritchard was the son of John White Pritchard, a captain in the Royal Navy, and was born at Southsea, Hampshire, on 6th December, 1825. After going through the usual preliminary education, he was apprenticed, in September, 1840, to Messrs. Edward John and Charles Henry Scott, surgeons of considerable practice in Portsmouth. During his apprenticeship, it is stated that he diligently studied the elementary branches of his profession, and conducted himself with propriety. There is considerable uncertainty with regard to the next step in his career. One account states that, on completing his apprenticeship, he proceeded to London, and entered on his hospital studies at King's College in October, 1843; but the officials of that institution denied that there was any foundation for the statement, which appears to have been based on the entry relating to Dr. Pritchard in the Medical Directory, which, in turn, probably depended on his own veracious authority. A contemporary writer remarks, "Whatever the extent of his medical education, and however it may have been acquired, it appears that the doctor's application to study was never remarkable: for all competent judges subsequently agreed in pronouncing him the shallowest of sciolists, so far as knowledge of his profession was concerned."

Dr. Pritchard seems from the first to have been destined for the naval service, in which several of his relatives are said to have held high rank. Two of his uncles are stated to have been admirals, one of his brothers, Francis Bowen Pritchard, was a surgeon in the Navy, and another, Charles Augustus Pritchard, acted as secretary to the Naval Commander-in-chief at Plymouth. Pritchard memorialised the authorities of the College of Surgeons to be allowed to offer himself for examination at an earlier period than was at that time permitted; and his application having been granted, he appeared before the Court of Examiners on 29th May, 1846, and, after the usual examination, was admitted a member of the College. He

underwent an examination before the Navy Board, was duly gazetted an assistant surgeon in Her Majesty's Navy, and joined H.M.S. *Victory* on 2nd November, 1846. In this capacity Pritchard made voyages to the Pacific and Northern Oceans and the Mediterranean, during which period he held the following commissions of service:—H.M.S. *Collingwood*, 24th December, 1846; H.M.S. *Calypso*, 20th March, 1848; H.M.S. *Asia*, 13th February, 1850; and lastly H.M.S. *Hecate*, 25th September, 1850.

It was, it is stated, while serving in the last-mentioned vessel on the home station, that Dr. Pritchard first met the lady who afterwards became his wife. Miss Mary Jane Taylor was the only daughter of Mr. Michael Taylor, a highly respected silk merchant, who resided in Edinburgh. The young lady was at the time staying with her maternal uncle, Dr. David Cowan, a retired naval surgeon, who had settled in Portsmouth. During her visit, the *Hecate* came into port, and at a ball which took place shortly afterwards, she was introduced to her future husband and destroyer. The young surgeon commenced to pay his addresses, and when he subsequently asked her to become his wife, Miss Taylor accepted him with the full approval of her relatives. The marriage took place in the autumn of 1850, but for some time the young couple were compelled to live much apart. The husband was not possessed of sufficient means to leave the service and provide his wife with a home. He therefore continued to cruise with the *Hecate*, while Mrs. Pritchard returned to her father's house in Edinburgh.

Meanwhile his wife's relations were endeavouring to secure for Dr. Pritchard some suitable opening on shore as a private practitioner. Such an opportunity was found at Hunmanby, in Yorkshire; and in March, 1851, he resigned the service and commenced practice in that place, where he and Mrs. Pritchard first took up house. Shortly after settling at Hunmanby, Dr. Pritchard opened a branch in the neighbouring town of Filey, then a rising watering-place, and was appointed medical officer of the No. 3 district of the Bridlington Union. During his residence there, he published various books on subjects connected with the locality, and contributed articles to medical and other journals.

With reference to this period of his career, the following

extract from the *Sheffield Telegraph*, published shortly after the trial, is of considerable interest:—"Dr. Pritchard, the poisoner, is well known at Hunmanby and Filey, where he practised before his removal to Glasgow. He left those places with a very indifferent reputation. He was fluent, plausible, amorous, politely impudent, and singularly untruthful. One who knew him well at Filey, describes him as the 'prettiest liar' he ever met with. He pushed his way into publicity as a prominent member of the body of Freemasons, and made that body a means of advertising himself. In the *carte-de-visite* we have seen of him he is taken in the insignia of the order. His amativeness led him into some amours that did not increase the public confidence in him as a professional man; and his unveracity became so notorious that, in his attempts to deceive others, he succeeded only in deceiving himself. Hunmanby and Filey were much too small for a man of that kind. He was soon found out. His imagination overran the limits of probability, as much as his expenditure overran his means; and, if we are rightly informed, he left Yorkshire in discredit and in debt. It was said of him after he had gone, that he spoke the truth only by accident, and seemed to be an improvisor of fiction by mental constitution and by habit." Other contemporary local journals comment upon his mendacious character and doubtful reputation during his residence in Yorkshire, which appears to have extended over a period of about six years.

In 1857 Dr. Pritchard purchased the diploma of Doctor of Medicine *in absentia* from the University of Erlangen. He also became a Licentiate of the Society of Apothecaries of London on 1st April, 1858. Having sold his practice in Yorkshire, he accepted an offer to act as medical attendant to a gentleman travelling abroad; and in the autumn of 1859 he left England and visited Egypt and the Holy Land, his wife, meanwhile, going back to her parents' house in Edinburgh.

When Dr. Pritchard returned from his travels, in June, 1860, it was decided that he should recommence practice in Glasgow, and he shortly thereafter took up house with his wife and family at No. 11 Berkeley Terrace there. From his first appearance among them, his medical brethren of that city seem to have regarded him with suspicion and dislike. To some of these

Mrs. Pritchard.

he brought letters of introduction; but the statements he made as to his previous career and exploits were so manifestly false that they considered him a person unworthy of credit, and one with whom they desired no further acquaintance. Like his more celebrated professional prototype, "Dr. Fell," he appears to have inspired in many of those with whom he came in contact an unaccountable feeling of repulsion, notwithstanding the plausibility of his manners and his indefatigable desire to please. He made several attempts to gain admittance to the Faculty of Physicians and Surgeons, but was unable to find a Fellow to undertake the responsibility of proposing him. In his application for membership of the various medical societies, where the only qualifications requisite were the possession of a diploma and a respectable character, he was equally unsuccessful. He is said to have been grossly ignorant of his profession, while daring and reckless in its practice. Notwithstanding the coldness with which he was treated by his medical confreres, in October, 1860, he applied for the then vacant Chair of Surgery at the Andersonian University, alleging in his application that he had had "many opportunities, in almost every part of the world, of gaining practical experience, and promulgating the principles of modern surgery." In support of his candidature, he submitted numerous testimonials from well-known medical men in England, regarding the genuineness of which there was considerable dubiety. His application was, however, unsuccessful, the appointment being given to Dr. Macleod.

Disappointed in obtaining the goodwill and support of the profession, Dr. Pritchard now directed his efforts to win a more general popularity. He became a member of the Glasgow Athenæum, in the affairs of which he apparently took a lively interest; and was subsequently appointed a director of that institution and also an examiner in physiology under the Society of Arts. With a view to attracting public attention, he gave several lectures on various popular subjects, chiefly connected with his travels. A sentence from one of these, dealing with his adventures abroad—with him a frequent and favourite theme—has been preserved, and indicates the somewhat startling peculiarities of the lecturer's style:—"I have plucked the eaglets from their eyries in the deserts of Arabia,

and hunted the Nubian lion in the prairies of North America." Another topic upon which he often discoursed was that of the Fiji Islands; but it was unfortunately ascertained—whatever may have been the extent of his knowledge of that interesting group—that the public accounts he gave of them were never twice the same. Dr. Pritchard was also wont to boast of an acquaintanceship with Garibaldi, of whom it was his custom to speak with fervent enthusiasm. In proof of his intimacy with that celebrated patriot it is said that, having been absent from Glasgow for some time, he, on his return, exhibited to his friends a handsome walking stick, bearing the inscription—"Presented by General Garibaldi to Edward William Pritchard." One gentleman, however, on being shown this valuable souvenir, at once recognised it as a stick which he had formerly seen in the doctor's possession, but without the interesting inscription. On another occasion Dr. Pritchard caused his health to be proposed at a dinner, given in connection with the Glasgow Athenæum, as that of "a distinguished physiologist, and a friend of Garibaldi." These are typical instances of the doctor's astonishing mendacity, his friendship with the Liberator of Italy being, it is understood, entirely apocryphal.

In furtherance of his scheme, Dr. Pritchard at this time became a Freemason, and assiduously cultivated the acquaintance of the local brethren. On 18th March, 1861, he was appointed to the Lodge St. Mark, of which he was elected Master in the following year; and he was admitted a member of the Glasgow Royal Arch Chapter on 4th December, 1861. In the same month he became a Knight Templar in the Glasgow Priory, and also joined the Grand Lodge of the Royal Order at Edinburgh. His fine appearance and insinuating manners are said for a short period to have won him a high place in the estimate of his Masonic brethren; but it was soon discovered that his enthusiasm and zeal proceeded solely from interested motives, and as such were, of course, fundamentally opposed to the principles of Freemasonry.

A singular and suggestive method by which Dr. Pritchard is said to have courted that notoriety for which, throughout his whole career, he exhibited an inordinate craving, was by having copies of his photograph printed off in large numbers, and supplying these at less than cost price to local stationers

for sale. He was also in the habit of distributing copies freely among casual acquaintances; a curious instance of which is recorded in the case of the gentleman with whom he happened to travel to Glasgow on the evening of his arrest and to whom he presented one, which must, in the light of subsequent events, have proved an interesting souvenir.

The following description of the personal appearance and characteristics of Dr. Pritchard at this period of his career is taken from a contemporary print:—"As most of our readers are no doubt aware, Pritchard was a tallish, well-built man of a rather striking presence. His features were regular, the forehead being well arched, and the nose aquiline and slightly hooked. The upper part of the head was perfectly bald, but this defect he partially concealed by the careful adjustment of a lock of his light brown hair. One of the most prominent points in his appearance was his beard, which he wore very long, and on the trimming of which he evidently bestowed considerable pains. He dressed neatly, and his manners were characterised by an elaborate, studied politeness—the very perfection, in short, of the *suaviter in modo*." Personal vanity, and the desire to create a pleasing impression upon those with whom he came in contact, appear to have been at all times eminently characteristic of the man; and he seems to have been so far successful as to have acquired a considerable, though not a first-class, practice. It is stated, however, to have been a matter of public knowledge, that Dr. Pritchard took a profligate advantage of his professional opportunities to make improper attempts upon his lady patients, both married and single; and that one such incident was made the ground of a prosecution, which was only arrested from adverse circumstances overtaking the gentleman whose wife had been grossly insulted.

We now come to the first of those remarkable occurrences which were ultimately to secure for Dr. Pritchard the notoriety which, by other means, he strenuously sought. On 6th May, 1863, a paragraph appeared in the newspapers—a copy of which will be found in the Appendix—setting forth particulars of a mysterious fire which took place the previous day at his house in Berkeley Terrace, whereby a young servant girl in his employment lost her life. It is beyond doubt that, in con-

nection with his subsequent claim under his fire-insurance policy, Dr. Pritchard returned to the Insurance Company, as destroyed, certain articles of jewellery, of which no trace could be found among the *debris;* and that on the company resisting this claim, he ultimately abandoned it, and accepted a small portion of the amount. More uncertainty, however, relates to the part played by him in the tragedy of the girl's death. Dr. Pritchard was examined by the authorities in connection with the affair, and a *post-mortem* examination of the body took place; and though no further action was taken by them, considerable suspicion appears to have attached to him at the time, which subsequent events went far to confirm. In commenting on this occurrence after the trial, a contemporary writer observes:—"We may pass over certain coincidences as being merely curious—that, for instance, of Dr. Pritchard coming to the door (dressed, it is to be presumed, for there is nothing to the contrary in the statement) only after the policeman rang, though he admits having been up a considerable time before that; the absence of Mrs. Pritchard and the other maid; the exception on this particular night of his usual act of seeing and questioning the servant as to whether he had been wanted; we say nothing of the difficulty of burning a volume of a book so as to take away all trace of it; and the insurance is too common a thing to deserve much attention. But it requires a large amount of very easy credulity to believe that the girl, under the circumstances stated, would either not have escaped by the door (only a few feet from the bed), or made an attempt in that direction, or at the very worst would not in the lie of the body, and in the contraction or contortion of the muscles, have exhibited some of the ordinary indications of pain. We can easily conceive a case where, by the sudden influx from another quarter of a great body of smoke, a person in a deep sleep may be so suddenly caught by asphyxia as to be choked as she lay, yet even in that case there will always be some contraction or contortion; but in the case we are examining the smoke had its beginning in the room; it was therefore under the law of progress, it was close by the sleeper, and it is scarcely possible to conceive that a young, active woman would not have been quickened by the first touch of asphyxia either to an attempt at escape, or a

No. 249 (formerly No. 131) Sauchiehall Street, Glasgow, where the crimes were committed.

The shop now occupies the place of the ground and sunk flats; the upper part of the house remains as in Dr. Pritchard's time.

No. 22 Royal Crescent, Glasgow, where Dr. Pritchard resided in 1863-64.

voluntary or involuntary action of the muscles. Such absolute quiescence as set forth would seem to amount to a physical impossibility. The only presumption which can make the story quadrate with natural laws, is that the girl was dead, or under the influence of a soporific, before the fire was kindled. As to the means of the death, or the hand that applied the flame, these must be left to the judgment or imagination of the reader." Dr. Pritchard's record is, however, sufficiently black as it is; and, in the absence of direct proof of his guilt, it would be unjust to credit, or rather debit, him with this additional crime.

Doubtless in consequence of this unpleasant episode, Dr. Pritchard removed at Whitsunday, 1863, to No. 22 Royal Crescent; and at that term, the place rendered vacant by the death of his former housemaid, was taken by Mary M'Leod, a girl of fifteen years of age, whose connection with his establishment was to prove only less fatal than that of her unhappy predecessor. Whatever may have been his relations with the latter, we learn from his own confession that he seduced this girl, during his wife's absence at the coast, in the summer of that year; and the intimacy between them continued, as admitted by Mary M'Leod in her evidence at the trial, until shortly before Mrs. Pritchard's death in the spring of 1865.

After remaining for a year at 22 Royal Crescent, Dr. Pritchard, at Whitsunday, 1864, removed to a house which he had purchased in Clarence Place, then one of the divisions of Sauchiehall Street, where he continued to reside during the events brought out at his trial, and until the time of his arrest. It is interesting to note that this house, situated a few doors west from Mains Street, is within a short distance of Blythswood Square, celebrated as the residence of Madeleine Smith. The agreed-on price was £2000, but £1600 was borrowed on security of the property; and as Mrs. Taylor, his mother-in-law, provided a sum of £500 to meet the balance, the doctor acquired his new residence upon easy terms. With reference to the payment of this sum, Mrs. Taylor wrote to her daughter Mrs. Pritchard—"I have told him (the law agent) to get the order drawn for the money in two sums, one for four hundred pounds and one for one hundred pounds, so as Edward may hold the hundred in his own hand and pay the

other £400 as part of the purchase-money. I have done it in this way so as these lawyers may not get hold of the whole £500, and keep it under some pretence or other. Now, my dear Mary, you must take care that this money is well spent. We have all felt the trouble in getting it; and I have no doubt it would be a source of satisfaction to us all if it is the means of getting Edward forward in life, and much depends on his going on quietly and perseveringly—he is now in a better position, and with his industrious and steady attention to his practice, all will be well. Give him my kind love and earnest wishes for success." Notwithstanding the fact that his practice appears to have been considerable, he must at this time have been in some financial straits, for Mrs. Taylor writes to him—"Once more let me express the hope that a very short time will relieve you from all this trouble. I will do all I can to push the thing on. My love to Mary and the children. Ever, dear Edward, yours affecty., Jane Taylor." It further appears from a letter which that lady wrote to her daughter, that the sum she thus advanced was a loan and not a gift, as subsequently stated by Dr. Pritchard, for she refers to "the terms on which I have advanced it, namely, that I am to have a bond over the property, so as to secure the £500 in the event of anything being unfortunate in time coming." No such security, however, was given at the time; but after Mrs. Taylor's death, at the request of her trustees, Dr. Pritchard agreed to the loan being so secured for the benefit of Mrs. Pritchard and her children.

We also find that from this time onwards Dr. Pritchard began to overdraw his bank accounts, of which he kept two, one with the Clydesdale and the other with the City of Glasgow Bank; and with the view, no doubt, of adding to his resources he, in November of that year, took into residence with him, as pupils and boarders, two medical students named Connell and King.

In the course of the summer of 1864, according to the evidence of Mary M'Leod, Mrs. Pritchard had discovered Dr. Pritchard kissing her in one of the bedrooms; and in the autumn, as the result of her intimacy with her master, a miscarriage took place, which Dr. Pritchard admitted was produced by him. She also stated in her evidence that, on one

occasion, he told her that when Mrs. Pritchard died, if she died before him and she (M'Leod) was alive, he would marry her.

It was in the month of October, 1864, that the condition of Mrs. Pritchard's health first attracted the notice of the other members of the family. At this time the household consisted of herself; Dr. Pritchard; four of their five children; the cook, Catherine Lattimer; and Mary M'Leod, who acted as both nurse and housemaid. The eldest child, a daughter, had been brought up by her grandparents, Mr. and Mrs. Taylor, and resided with them in Edinburgh. The two medical students, King and Connell, came in the beginning of November. Mrs. Pritchard was confined to bed for some time, suffering from sickness and vomiting, which she attributed to a chill; and when somewhat recovered, she went, about 26th November, on a visit to her relatives in Edinburgh. There she remained until 22nd December, when she came home to Glasgow for Christmas. During this visit she became much better in health, and continued well until a fortnight after her return, when the distressing symptoms from which she had previously suffered re-appeared with greater intensity. The sickness became more persistent, occurring usually after meals—particularly liquid food. From this time onward she was seldom able to go downstairs to take her meals with the family, and her food was either taken or sent to her own room by her husband. During the month of November, Dr. Pritchard was proved to have bought tartarised antimony and tincture of aconite, in quantities of one ounce of each; and on 8th December, he purchased an ounce of Fleming's Tincture of Aconite, which is six times stronger than the ordinary tincture.

Mrs. Pritchard's first serious attack of illness was on 1st February, when, in addition to violent sickness, she was seized with cramp, accompanied by severe pain, which left her in a very exhausted state. After this attack, Dr. Pritchard wrote to Dr. James Moffat Cowan, a retired medical man resident in Edinburgh, and a second cousin of his wife's, requesting him to come through and see her. Dr. Cowan accordingly visited Mrs. Pritchard on the 7th, and stayed all night. He found her better than he had been led to expect, and apparently did not

consider her case serious. Dr. Pritchard described her illness as arising from irritation of the stomach, and Dr. Cowan prescribed a mustard poultice and small quantities of champagne and ice. On the day of Dr. Cowan's visit, Dr. Pritchard bought his second ounce of tartarised antimony and a further ounce of tincture of aconite. Dr. Cowan returned to Edinburgh next day, the 8th; and in the course of that night Mrs. Pritchard was again attacked with severe spasms, and at her own request Dr. Gairdner was called in. He was puzzled by the case, and was of opinion, from the state of excitement in which he found the patient, that she was intoxicated. To him Dr. Pritchard expressed the view that she was suffering from catalepsy, and mentioned that she had been getting stimulants on the advice of Dr. Cowan. Dr. Gairdner ordered all stimulants to be discontinued, and prescribed a simple dietary and no medicine. He called again next day, found her better, and renewed his advice; but was not asked to repeat his visit. Neither Dr. Cowan nor Dr. Gairdner observed any symptoms of fever in the case.

Dr. Gairdner was, however, very far from satisfied with the treatment which the patient was receiving; and accordingly on the 9th, after his second visit to Mrs. Pritchard, he wrote to her brother, Dr. Michael Taylor, of Penrith, expressing his dissatisfaction and strongly recommending Mrs. Pritchard's removal to her brother's house. On Dr. Taylor's suggesting that his sister should come to him for a time, Dr. Pritchard expressed his perfect willingness that she should do so, but considered she was not then in a fit state to travel. It need hardly be said that the unfortunate lady was never permitted to visit her brother, which would seriously have interfered with her husband's plans.

On Dr. Cowan's return to Edinburgh he saw Mrs. Taylor, and recommended her to go to Glasgow to nurse her daughter who, with only two servants in a large household, required, he thought, more attention than she was receiving. Mrs. Taylor accordingly proceeded to Glasgow on Friday, 10th February, and took up her abode in that fatal house, which she was destined never to leave again alive. The day before she came, her son-in-law bought an ounce of tincture of aconite, his fourth purchase of a similar quantity of that poison within

less than three months. Mrs. Taylor found her daughter confined to bed and suffering from continued sickness and vomiting; and two or three days after her arrival, Mrs. Pritchard had another attack of cramp, though not so severe as on the previous occasion. On Monday, the 13th, Mrs. Pritchard having expressed a desire for some tapioca, a packet was got from the grocers by her little boy; it was left for a short time upon the hall table; was taken down to the kitchen, either by Mrs. Taylor or Mary M'Leod; the cook, Catherine Lattimer, prepared half a breakfast-cupful; and it was then carried upstairs by Mary M'Leod to the dining-room. Whether Mrs. Pritchard partook of it or not does not appear; but Mrs. Taylor did, and immediately became sick and vomited, remarking, poor lady, with unconscious significance, that she thought she must have got the same complaint as her daughter. It was not proved that Dr. Pritchard was in the house when this incident occurred; but in the remainder of the packet of tapioca, which was found in the kitchen press after his apprehension, the presence of antimony was unequivocally detected.

On Thursday, 16th February, Catherine Lattimer left. She was to have done so on the 2nd, but, owing to Mrs. Pritchard's serious illness, she could not leave until another servant was engaged to take her place. She was succeeded as cook by Mary Patterson. She did not, however, leave Glasgow; and was in the habit of calling occasionally to take the children for a walk. Upon the 18th, Dr. Pritchard purchased another ounce of Fleming's Tincture of Aconite.

Now, Mrs. Taylor, though a strong and healthy old lady for her seventy years, had, unfortunately, contracted the habit of taking a preparation of opium, known as Battley's Sedative Solution. She commenced to use this medicine as a remedy for the neuralgic headaches from which she suffered, and the practice had so grown upon her as to enable her to take with impunity considerable quantities of that drug. Shortly after her arrival in Glasgow, she sent the girl M'Leod to have filled for her by the local chemists a bottle, which, apparently, she carried about with her for that purpose. On the morning of Friday, 24th February, Catherine Lattimer called at the house and saw Mrs. Taylor, who expressed great anxiety as to her daughter's condition, and said she could not understand her

illness. The old lady spent the day in the sickroom—she had been in attendance upon her daughter day and night since she came—and went down to tea with Dr. Pritchard and the family in the dining-room at seven o'clock, after which she wrote some letters in the consulting-room and sent Mary M'Leod out to get sausages for her supper. She then went upstairs to her daughter's bedroom, which she had shared since her arrival—Dr. Pritchard occupying the spare bedroom. A few minutes later the bell rang violently, and the servants, on going up, found Mrs. Taylor sitting in a chair very ill and trying to be sick. Hot water was brought to effect this, but to no purpose; she quickly became unconscious, and sat with her head hanging down upon her breast. Dr. Pritchard was summoned, and, having examined her, he told the boarder Connell to go for Dr. Paterson, as Mrs. Taylor had been seized with apoplexy and was seriously ill. Accordingly, shortly after ten o'clock, Dr. Paterson appeared in that chamber of death. It was the first time he had been in the house, and the result of his visit, and the course which he saw fit to adopt in regard to it, are among the most remarkable features of this case.

Dr. Pritchard met Dr. Paterson in the hall, and told him that the old lady, while writing some letters, had fallen from her chair in a fit, and had been carried upstairs to her bedroom. He added that "she was in the habit of taking a drop"—a deliberate and wicked lie—and said that Mrs. Pritchard had been ill for a long time with gastric fever. Dr. Paterson then proceeded to the sickroom. Mrs. Taylor, who had been lifted on to her daughter's bed, was still alive; but he at once expressed his opinion that she was dying under the influence of some powerful narcotic. He attempted to rouse her, and, a degree of consciousness supervening, Dr. Pritchard clapped the poor lady on the shoulder, saying, "You are getting better, darling," on which Dr. Paterson remarked, "Never, in this world." Dr. Pritchard then told him that she was in the habit of taking Battley's Solution, that she had recently purchased a half-pound bottle of that medicine, and that it was highly probable she had taken "a good swig at it." Dr. Paterson in his evidence gives a striking picture of the occupants of that fatal room. Mrs. Taylor was dying, fully dressed, upon her daughter's bed; and, sitting up beyond her, he observed Mrs. Pritchard, whom

Mrs. Taylor.

he then saw for the first time, in a state of pitiful agitation and distress; and the conviction forced itself upon his mind that she was under the depressing influence of antimony. He did not speak to her, however, or question her husband as to her condition, but left the house. Shortly before one o'clock Dr. Paterson was again sent for, but refused to go, as he considered Mrs. Taylor's case hopeless.

At one o'clock in the morning of Saturday, 25th February, a fortnight after her arrival in Glasgow, Mrs. Taylor died. Mary Patterson, with the assistance of Mrs. Nabb, a woman who washed for the family, proceeded to dress the body, and in the pocket of the old lady's dress they found her bottle of Battley. While they were thus occupied, Dr. Pritchard came into the room and asked for the bottle, which, he said, M'Leod told him had been found. On seeing it he exclaimed, "Good heavens, has she taken all that since Tuesday!" and cautioned them to say nothing about it, as it might lead to trouble, and it would never do for a man in his position to have it talked about. He then removed the bottle. In it were subsequently detected an appreciable quantity of antimony, and also aconite to the extent, in the opinion of Professor Penny, of about seven per cent. of the entire contents. On the 27th, Catherine Lattimer called, and was shocked to hear from Dr. Pritchard of Mrs. Taylor's sudden death; "We have a sad house to-day, Catherine," said the doctor.

On Wednesday, 1st March, Dr. Pritchard met Dr. Paterson accidentally in the street, and asked him to call and see Mrs. Pritchard next day, as he was going to Edinburgh to bury his mother-in-law. Dr. Paterson did so; and, from his observation of Mrs. Pritchard on that occasion, his previous opinion was confirmed. He made no communication, however, to the unhappy lady as to his belief that her death was being slowly compassed by poison. On the 3rd, Mr. Michael Taylor, the husband of Mrs. Taylor, called on Dr. Paterson and said that Dr. Pritchard had sent him for the certificate of death. This Dr. Paterson declined to give, without stating any reason beyond that to do so would be contrary to professional etiquette. The next day Dr. Paterson wrote to the registrar, who had sent him a schedule to fill up, refusing to grant the certificate, and characterising the death of Mrs. Taylor as "sudden,

unexpected, and to him mysterious." The death was accordingly certified by Dr. Pritchard himself as follows:—Primary cause, paralysis: duration, twelve hours; secondary cause, apoplexy: duration, one hour. It has been pointed out to the Editor that no competent medical man would have stated these causes in such an order—apoplexy invariably preceding and producing paralysis. On the 5th, Dr. Pritchard called on Dr. Paterson and said that Mrs. Pritchard was greatly benefited by the treatment he had ordered.

From the time of her mother's death, Mrs. Pritchard's illness continued its mysterious course. To her dressmaker, Janet Hamilton, who saw her on 8th March, she complained of constant retching, for which she could ascribe no cause; and remarked, poor soul, that it was strange she was always well in Edinburgh and ill at home. To Mrs. Nabb, she complained of vomiting even in her sleep. Lattimer called and found her very thin and weak, and in great grief at the sudden loss of her mother. During Mrs. Taylor's residence in the house she herself attended to her daughter's food, and, shortly after she came, was in the habit of preparing the patient's meals in the bedroom; but since that lady's death her meals were, as formerly, either taken or sent to her by her husband.

It is a curious feature of this extraordinary case that, during the whole course of his wife's illness down to her death on 18th March, Dr. Pritchard was in continual correspondence with her brother, Dr. Michael Taylor, of Penrith, minutely detailing the symptoms of the patient and suggesting modes of treatment. To his father-in-law and daughter in Edinburgh he also wrote with great frequency on the subject of Mrs. Pritchard's ill-health, many of his letters, especially those alluding to the death of Mrs. Taylor, being couched in language which, in the circumstances, can only be described as of revolting hypocrisy. Writing to his daughter in Edinburgh some time before the death of that lady, Dr. Pritchard says—"Kiss dearest grandma for me—love her and help her all you can, and when the rolling years pass away you will remember my advice and be happier far by doing so than I can positively make you understand now. Pray to our Heavenly Father quietly and alone to spare her to us, to protect you from all harm, and make you a good girl—in due time a Christian

woman, and a blessing to us all. Never forget kind friends, those who have an interest in your well-doing."

On Monday, 13th March, Dr. Pritchard made what proved to be his last purchase of Fleming's Tincture of Aconite; and that evening he sent up a piece of cheese by Mary M'Leod for Mrs. Pritchard's supper. Her mistress asked the girl to taste it, which she did, and at once experienced a burning sensation in her throat, followed by considerable thirst. This cheese was taken down to the pantry; and the next morning the cook, finding it there, ate a small portion, with similar results. She then became violently sick, and had to go to bed. On the following night, Wednesday, 15th March, Dr. Pritchard asked Mary Paterson to make some egg-flip for Mrs. Pritchard. While she was beating up an egg in the pantry, he said he would get some sugar for it; and she heard him go into the dining-room, where that was kept, from thence into the consulting-room, and then saw him return and drop two lumps of sugar into the tumbler. When adding hot water in the kitchen, the cook took a spoonful of the mixture, and remarked to Mary M'Leod on its horrible taste. It was then carried by the latter to the sickroom, where Mrs. Pritchard drank a glassful, and immediately became sick. Meanwhile, the cook experienced the same burning sensations as on the occasion of eating the cheese, suffered intense pain, and vomited frequently during the night.

At mid-day on Friday, the 17th of March, Mrs. Pritchard's bell rang violently three times. At the third ring Mary Patterson, the cook, went upstairs to see what was the matter, and why M'Leod, whose business it was to answer the bell, did not do so. Not being sure which bell had rung, she went to the consulting-room door, which, though partly open, refused to open further when she tried it. She then began to ascend the stairs, and, on looking back, saw Dr. Pritchard at the consulting-room door, who called to her, "How is Mrs. Pritchard now?" and then came upstairs after her, followed by Mary M'Leod. Shortly after this incident Patterson, on returning to the bedroom, saw Dr. Pritchard giving his wife something to drink out of a porter glass. At five o'clock the same afternoon Mrs. Pritchard had a severe attack of cramp, and became light-headed, speaking of Mrs. Taylor as though she were present, and telling the servants not to mind her, but to attend

to her mother. At eight o'clock Dr. Paterson was called in, and was greatly struck by the alarming change for the worse in Mrs. Pritchard's appearance since he last saw her on the 2nd. She was at this time quite conscious, and told him she had been vomiting; but Dr. Pritchard said she had not, and was only raving. He further stated that she had not slept for four or five days. Dr. Paterson, wishing to administer a sleeping-draught at once, Dr. Pritchard told him that he kept no drugs in the house; Dr. Paterson therefore dictated a prescription, which Dr. Pritchard wrote out and sent to be made up. Dr. Paterson then left; and Dr. Pritchard went to bed beside his wife, Mary M'Leod lying on a sofa in the same room. Having been told by him about one o'clock in the morning to get a mustard poultice made by Mary Patterson, M'Leod left the room for that purpose; and on the two servants returning with the poultice they found that Mrs. Pritchard was dead.

Dr. Pritchard insisted that his wife was only in a faint, and wished hot water brought to restore animation, whereupon Patterson observed that hot water was no use for a dead body. He then said, "Is she dead, Patterson?" and, addressing the corpse, cried out, "Come back, come back, my dear Mary Jane, don't leave your dear Edward!" He also exclaimed, "What a brute; what a heathen!"—expressions in which posterity will be disposed to concur—and asked Patterson to get King's rifle and shoot him. He next wrote certain letters and took them to the post, and, on returning, called Patterson up from the kitchen to tell her that his wife had walked up the street with him and had told him to take care of the girls, but had said nothing about the boys; that she kissed him on the cheek and left him. One of these letters, written in reply to a communication which he had that day received from the secretary of the Clydesdale Bank with reference to his account being overdrawn to the extent of £131 12s. 4d., was in the following terms:—"131 Sauchiehall Street, Glasgow. Sir,—I am fully aware of the overdraft, and nothing short of the heavy affliction I have been visited with since the year commenced—in the loss of my mother, and this day of my wife, after long and severe illness—would have made me break my promise. If you will kindly tell Mr. Readman, to whom I am well known, that immediately I can attend to

Glasgow March 18th 1865

Sir

Dr Pritchard's Mother in law
died suddenly and unexpectedly
about three weeks ago in his house
Sun Chichall Street Glasgow under
circumstances at least very suspicion
His wife died to-day also sudden-
-ly and unexpectedly and under circum-
-stances equally suspicious. We think
it right to send Your attention to
the above as the proper person to
take action in the matter and see
justice done.

Yours &
Amor Justitiae

To Hunt Esq

Facsimile of the anonymous letter sent to the Procurator-Fiscal, which resulted in Dr. Pritchard's apprehension.

business I will see him on the matter, please ask him if he can wait till after my dear wife's funeral on Thursday.—I am, sir, yours faithfully, Edward W. Pritchard. 18th March, 1865. Alexr. Mathers, Esq."

On Monday, 20th March, Dr. Pritchard certified the cause of Mrs. Pritchard's death as gastric fever, the duration of which he stated to have been two months. Thereafter, he accompanied the body of his wife to Edinburgh, with a view to its interment beside that of her mother in the Grange Cemetery; and for this purpose it was taken to the house of her father, Mr. Taylor. There, at Dr. Pritchard's request, the coffin was opened in presence of the relatives, and —exhibiting, we are told, "a great deal of feeling"— the murderer kissed his dead victim on the lips: a scene surely unparelleled in human history. Dr. Pritchard then went back to Glasgow, intending to return to Edinburgh for the funeral, which was arranged to take place on the Thursday following. He went, doubtless, well content with the satisfactory issue of his atrocious plot; a few days more and the grave would close over his second victim also, and shroud for ever the evidence of his guilt. But the cup of his iniquities was full; in the very article of success—too late, indeed, to avail his hapless prey—the iron grasp of justice closed upon him; and, as he stepped from the train at Queen Street station, he was arrested by Superintendent M'Call, on suspicion of having caused the death of his wife.

The authorities had had a busy time that Monday while the bereaved husband was in Edinburgh; an anonymous letter received by the procurator-fiscal—a facsimile of which is inserted herewith—which was popularly attributed to Dr. Paterson, but which he denied having sent, had set in motion the tardy machinery of the law; and the inquiries which followed resulted in a warrant being obtained for Dr. Pritchard's apprehension. At last the light was about to be let in upon the dark secrets of the house in Sauchiehall Street.

One of the first steps now taken by the authorities was, of course, to institute a rigorous search of Dr. Pritchard's house, with a view to discover anything which might bear on the circumstances of Mrs. Pritchard's death; and various bottles and other articles found in his consulting-room and elsewhere,

including the clothes and bed linen used by Mrs. Pritchard during the illness which immediately preceded her death, were taken possession of by the police. A *post-mortem* examination by Drs. Maclagan and Littlejohn of the body of Mrs. Pritchard took place on 21st March, with the result that these gentlemen could discover nothing to indicate that the death was due to natural causes; and the following day the prisoner appeared before Sir Archibald Alison, Sheriff of Lanarkshire, and emitted a declaration upon the charge made against him.

The authorities prosecuted their inquiries with despatch; and, as the result of certain statements made by Mrs. Nabb in precognition, disclosing the fact of the illicit intimacy which had subsisted between the prisoner and Mary M'Leod, the latter was apprehended as being concerned in causing the death of her mistress. After a lengthy examination before the Sheriff she was, however, released. An examination of the books of Messrs. Murdoch Brothers and of the Glasgow Apothecaries' Company, Sauchiehall Street, at both of which Dr. Pritchard had kept accounts, further satisfied the authorities of the propriety of the course they had taken; that examination showing recent purchases by him of tartarised antimony, aconite, and other poisons, in quantities hardly to be explained by the requirements of any ordinary medical practice. The public excitement which ensued upon the prisoner's arrest was intense; and every step of the inquiry that followed was eagerly perused in the local press, which, until the prisoner obtained the services of Messrs. Galbraith & Maclay as his agents, daily reported every step taken by the authorities, giving full particulars of the examination of witnesses, and promulgating sensational theories and speculations regarding the case. The prisoner, meanwhile, preserved a calm and unruffled demeanour, and expressed confident hopes that his innocence would shortly be established. The *post-mortem* examination having failed to disclose the cause of death, portions of Mrs. Pritchard's body were reserved for chemical analysis; and the remains were interred in the Grange Cemetery on 22nd March.

As showing the singular success of the dissimulation so long practised by the prisoner, neither his wife's nor his own relations believed for one moment in his guilt; and many private friends expressed their perfect confidence in his innocence.

Public feeling was also in his favour, for up to that time nothing very reliable had been elicited pointing to any motive which might be supposed to have actuated the prisoner in the commission of the crime with which he stood charged; and the belief that the charge might prove to be unfounded was strengthened by the plausibility with which, in his declaration before the Sheriff, he had asserted his entire innocence. The result of the chemical analysis, which reached Glasgow on the 28th, disclosing, as it did, the unmistakable presence of antimony, at once changed the popular feeling; and, as the result of it, the prisoner was now fully committed for trial, and a warrant issued for the exhumation of Mrs. Taylor's body. At first there had not been any suspicion that the death of Mrs. Taylor might have been the result of foul play; and had the inquiry into the circumstances attending that of his wife not taken place, there is little doubt, in the case of his mother-in-law's murder, that the perpetrator would have escaped detection.

On 30th March, Messrs. Galbraith & Maclay undertook the conduct of the defence; and the prisoner having decided to avail himself of the provisions of the Act 1701, intimation was made, according to the practice then in use, with a view to the prisoner "running his letters"; the effect of which was to compel the prosecutor to fix a diet for his trial within sixty days, and, if an indictment was served within that period, the trial under it would have to be concluded within the forty days immediately following. On the same day Mrs. Taylor's body was exhumed, and the result of the *post-mortem* examination thereon being precisely similar to that of Mrs. Pritchard's remains, and equally contradictory of the statements made by the prisoner in regard to the manner of her death, portions of the body were reserved for chemical analysis; upon which the presence of antimony was unequivocally detected. Accordingly, on 21st April the prisoner again appeared before the Sheriff, and was examined on the further charge of having caused the death of Mrs. Taylor. He thereupon emitted a second declaration, and was committed for trial on this additional charge.

The following account of the prisoner's appearance on that occasion is taken from the *Glasgow Herald* of 24th April, 1865: —"The prisoner looked somewhat pale, but he stills retains the same amount of self-possession that he has exhibited since

the night of his apprehension. It may be mentioned that on that occasion, after having been conveyed from the railway station to Mr. Superintendent M'Call's apartment, the doctor, previous to retiring to rest, and before the room was vacated by the officers, engaged in prayer. His subsequent behaviour, we have reason to believe, has been of the calmest possible description. A day or so after his incarceration in the North Prison he seemed to feel a little annoyed that he could not be favoured with a supply of pomatum for the trimming of his beard and hair. The prison regimen has not at all suited his taste." He appears to have maintained, while in confinement, the plausible and insinuating manners which had hitherto stood him in such good stead, so much so that all who came in contact with him at this time were more or less influenced in his favour, and formed a high opinion of his intelligence. Whether with governors, warders, or police officers, his efforts were bent on producing a favourable impression, with the view of showing the unlikelihood of one so refined and cultivated being guilty of the terrible charges made against him.

On 31st May, the indictment was served upon the prisoner, with the following citation:—Edward William Pritchard, take notice that you will have to compear before the High Court of Justiciary, within the Criminal Court-house of Edinburgh, to answer to the criminal libel against you to which this notice is attached, on the third day of July, one thousand eight hundred and sixty-five, at half-past nine of the clock forenoon." On 26th June, Dr. Pritchard was removed from the North Prison, Glasgow, in which he had been confined since his apprehension, and was brought through to Edinburgh by the first train and lodged in the Calton Jail, there to await his trial. The Lord Advocate (Moncreiff), who was to have led for the Crown, was unexpectedly summoned to London upon Parliamentary business on the Saturday before the trial, and the responsibility of conducting the case for the prosecution devolved upon the Solicitor-General. In view of the intense interest and excitement which the case had aroused in the public mind, special regulations, in terms similar to those which obtained at the trial of Madeleine Smith, eight years before, were issued, regulating admission to the Court during the proceedings; and on Monday, 3rd July, commenced what was

to prove one of the most memorable trials of modern times. The Court was crowded to its utmost capacity when, at ten o'clock, the prisoner, who was dressed in deep mourning, was placed at the bar and charged with the murder of his wife and mother-in-law, to which in a firm voice he pleaded "Not Guilty." His brother, Charles Augustus Pritchard, by permission, occupied a seat beside him in the dock, which he continued to do until the second last day of the trial.

The personal appearance of Dr. Pritchard and his demeanour in Court is variously described in the newspapers of the time. One lively reporter writes—"He is really, as popular rumour has made him out, rather a good-looking fellow than otherwise —with clearly defined features, and a beard to be much admired by the other sex and envied by such portion of our own as may have reason, in this particular of finish to the male countenance, to resent the parsimony of nature; any line of clear, emotional nobility leaving its trace on the physiognomy I confess I failed to catch, but anything surmised of the distinctly sinister in it, must, I think, be set down as imported by the eye of prejudice in the observer. He came up frankly; pale and worn from his months of prison, yet cheerful, on the whole, of aspect. He composed himself for the day and looked ever after, so far as I had opportunity to observe him, the most cool and unconcerned person in Court. Unconcerned, with this decorous exception—I observed he almost always wept when, as a fond husband, it was proper that he should be moved—wept, or did something dexterous with his pocket-handkerchief, which might very well pass for weeping." Another writer observes—"The prisoner is a tall, stout, well-built man, rather prepossessing, and with sharply defined features. His hair is long and thin, and he is bald nearly to the crown. The large bushy beard which he wears gives to the lower part of his face an appearance of strength that is at variance with the general character of the countenance. The impression conveyed is that of mildness, approaching perhaps to effeminacy. The expression of his face during the day was sad and thoughtful; he seemed cool and collected, and watched the proceedings closely." The following interesting account is also given:—"His naturally handsome countenance, and a certain plausibility of manner which characterised him,

favourably impressed spectators. This was strikingly illustrated by his bearing in Court, particularly in the earlier stages of the trial. None who saw the intelligent, thoughtful, and mild-looking individual seated in the dock on the first morning of the eventful trial, could be prepared for anything like the refined and consummate villainy and diabolic cruelty which each day brought to light, until, when the whole murderous plot was laid bare, the assembled auditors saw before them a perfect fiend in human shape. It was only when his unfortunate victim, Mary M'Leod, reluctantly confessed the relations which subsisted between them, that the real nature of the man was made known, and that a change might be seen stealing over his features. Before this, the attention which he paid to the evidence was only what might be expected from one interested in the proceedings, but whose fate could in no way be affected by them. With the anxiety which had now evidently taken hold of him, a certain vulpine look might be detected, as he keenly fixed his eyes upon the girl's countenance, when—under the skilful, but gentle questioning of the counsel for the Crown, and of the presiding judge—she rent aside the curtain which had hitherto veiled the inner life of that apparently happy home. Throughout the greater part of her protracted examination a change come over the seducer's features. The mild, gentlemanly expression which these had hitherto worn, had now in some degree disappeared; and at times one could almost fancy that traces of malignity could be seen, blended with his keen and steady gaze. This was, however, but momentary, as the sinister look speedily gave place to the usual self-complacent, but thoughtful and somewhat benign, expression. Viewed in the light of the evidence, his demeanour throughout was studied, and designed to deceive the spectators. The only piece of real humanity which peeped out during the five days of the trial was when two of his children, the one a girl of fourteen and the other a boy of eleven, were placed in the box by his counsel to speak to the kindly feelings which subsisted between him and his wife and mother-in-law. Even his hardened nature was overcome, and what had all the appearance of genuine tears trickled down his cheek. This was the one vulnerable spot in the villain's

breast, and the scene altogether was such as none who witnessed it will soon forget."

The case for the prosecution, splendidly handled by the Solicitor-General, was built up with such skill and closeness as to leave practically no loophole for doubt. Not a superfluous witness was examined, and hardly a superfluous question put to any of those in the box. The evidence adduced for the Crown incontestibly established that the deaths of both ladies were due to poison. In the case of Mrs. Pritchard, it was proved beyond dispute that she died of chronic antimonial poisoning—her body being impregnated with that drug; although the evidence in Mrs. Taylor's case, if quite as complete, was not so cumulative and irresistible. The case being one of circumstantial evidence only, no direct act of administration could be proved against the prisoner; but it was amply demonstrated that he alone had the means, opportunity, and skill requisite for carrying through the double crime; and his gratuitous falsehoods regarding the illness and deaths of his victims, both to the registrar and others at the time, and afterwards in his declarations, disposed of the question of his guilt.

The only unsatisfactory link in the strong chain forged by the prosecution was their inability to suggest a motive sufficient to account for the murder of both wife and mother-in-law. The financial motive alleged—a life-rent interest, to the extent of two-thirds, in a sum of £2500—was manifestly inadequate; and that the prisoner desired to be rid of his wife, so as to marry the servant girl whom he had long before seduced, was equally inconclusive. Mrs. Taylor was probably swept from his path because her presence interfered with his elaborate scheme for the destruction of her daughter; although her discovery of his intimacy with M'Leod, as stated in his confession, may have been an additional factor. It is also possible that Mrs. Taylor's suspicions may have been aroused as to the cause of her daughter's mysterious illness, for it is to be remembered that, soon after her arrival, she herself prepared in the sickroom the food which the invalid required and shared her daughter's bedroom, to the exclusion of the prisoner. If she indeed hinted at these suspicions to her son-in-law, her fate

was sealed. The real motive which actuated Dr. Pritchard in taking his wife's life has never been discovered.

The defence, unable to put a single medical man in the box to controvert the testimony of the Crown doctors, had to rely mainly on the antecedent improbability of such a murder being committed by a man of the prisoner's position and education upon relatives with whom he lived on the most affectionate terms, coupled with the failure of the prosecution to suggest a convincing motive. It was a significant fact that the prisoner's counsel called no witnesses to character. The line adopted by Mr. Rutherfurd Clark in endeavouring to fix the guilt of the murders upon the girl M'Leod was, in some quarters, adversely commented upon at the time; but, as the Solicitor-General had impressed upon the jury that the perpetrator must have been either the prisoner or Mary M'Leod, he would seem to have been justified in his line of argument. In dealing with the case of Mrs. Taylor a strong effort was made—in view of the difference of opinion expressed by the medical witnesses for the prosecution as to the precise nature of the poison which caused her death—to suggest that she might have died from an over-dose of her own medicine; but the distinction was too nice for the jury, satisfied as they were of the fact that antimony and aconite had been introduced into it by hands other than her own. The appearance of the prisoner's unfortunate children in the box, instead of helping the case for the defence, must, one thinks, have removed from the minds of the jury any remnant of pity for their wretched father.

Three diaries kept by Dr. Pritchard—excerpts from which are given in the Appendix—were produced in Court, but were only referred to by the prosecution for the purpose of fixing certain dates. Some of the entries in these had obviously been made by the prisoner with the view of their being used as evidence in his favour in the event of any inquiry; but so grossly hypocritical were their terms, that they were not even alluded to by his own counsel.

The most remarkable feature of the trial was unquestionably the statements made in evidence by Dr. Paterson; which earned the severe strictures of the counsel for the prisoner in his address, and the grave censure of the

Lord Justice-Clerk in his charge to the jury. To these were added the almost unanimous condemnation of the attitude which he had seen fit to adopt and defend in relation to the case of Mrs. Pritchard, by the newspaper press of the United Kingdom, in the columns of which, for some time after the trial, appeared numerous letters animadverting upon his conduct. The doctor did not remain silent under this shower of adverse criticism, but prepared and sent to the newspapers an elaborate *apologia*. It would serve no purpose to rake up in this place the ashes of that forgotten controversy; but the curious reader will find a copy of Dr. Paterson's defence in the Appendix, and will therefore be able to consider both sides of the question, and form his own conclusions. That Dr. Paterson's singular sense of what was due to professional etiquette did not, however, prevent him stating the facts fully when in the witness-box, was fortunate for the ends of justice.

The evidence for the prosecution occupied the first three days of the trial; by mid-day on the fourth, the evidence for the defence was completed, the remainder of the sitting being taken up with the addresses of counsel; and on the fifth (and last) day of the trial, the Lord Justice-Clerk delivered his charge to the jury. On the conclusion of his lordship's masterly review of the evidence, at a quarter past one o'clock, the jury retired to consider their verdict; and after the absence of an hour (during which the prisoner was removed to the cells below the Court-room) they returned to Court, their foreman, Mr. George Sim, announcing the following as their verdict:—"The jury unanimously find the prisoner guilty of both charges as libelled."

On the declaration of the verdict the prisoner clasped his hands together, but exhibited little outward emotion. A few moments later, however, he became faint, and leaned for support upon the shoulder of the policeman sitting at his right; but on being given a glass of water he appeared to revive. During an interval of twenty minutes occupied by the recording of the verdict and sentence, the prisoner made a strong effort to bear up, and maintained his composure in a remarkable degree. These formalities completed, the Lord Justice-Clerk addressed to the unhappy man a few earnest and solemn words, exhorting him to repentance of his crimes, the prisoner meanwhile

standing up and bowing at intervals as if in assent. His lordship then, assuming the black cap, pronounced sentence of death in the impressive Scots form; and the prisoner, having again bowed to the bench and also to the jury, was conducted down the stair leading from the dock, which he descended with as much composure as he had exhibited on being brought up to hear the verdict.

The following account is given by an eye-witness of the effect upon the prisoner of the able and eloquent addresses of the opposing counsel:—"Somewhat curious it was, during the speeches of the Solicitor-General assailing him and of Mr. Clark in his defence, to watch the deportment of the prisoner. Mr. Young's address he followed with the closest attention. No emotion was exhibited, save that now and then, when something damaging was stated, one could see a quiver about the lips and a droop and sinking of the pained eyelids. When Mr. Clark, on the other hand, in his defence, proceeded to enlarge to the jury on the impossibility of such a monster in human shape, and sketched in strong rhetoric his supposed conduct to the wife of his bosom, his whole face broke, as it were, and after a spasmodic effort at suppression, he wept." The effect produced on the prisoner by the Lord Justice-Clerk's charge to the jury is not recorded, but it must soon have been apparent to him that it finally disposed of any chance of his acquittal. It was in the highest degree careful, complete, and exhaustive, abounding in subtle insight into special points of the case untouched by those who had previously dealt with it, and was in every respect worthy of so great a judge.

At half-past three the prisoner was brought upstairs from the cells to the prison van, which was drawn up at the witnesses' entrance to the Court. A large crowd had gathered in the High Street, excited by the chance of getting a glimpse of him; and, notwithstanding the efforts of a strong cordon of police to keep the Parliament Square clear, considerable numbers got into the piazza. As he issued from the door of the Court-house the prisoner took off his hat and bowed to the assemblage. He walked to the prison van with a steady step, and was then driven to the Calton Jail, the van being followed by a large crowd all the way to the prison. Next morning he was removed

to Glasgow by the ten o'clock train, from which he was taken at Cowlairs, to avoid the crowd awaiting his arrival at Queen Street. From thence he was driven to Glasgow without attracting observation, and placed in the North Prison, the scene of his former confinement.

Very different now was the convict's demeanour to what it had been when he left for Edinburgh. Then he was cheerful and confident, never expressing himself as other than certain of regaining freedom after his trial, when he intended to leave Scotland and reside abroad. Indeed, when his agent, while on the way to Edinburgh, showed some anxiety as to the result of the trial, the prisoner said, "Keep up your heart: we will return to Glasgow together." He took with him to Edinburgh a photograph of a family group, including himself, his wife, their children, and his mother-in-law, which he frequently exhibited to the warders and others, taking pleasure, we are told, in pointing out the various members of the family by name. Now his over-confidence gave way to a prostration of mind and body; and he continued during the whole of the next day lying in a sort of stupor, without speaking to those around him. On Monday, the 10th, having somewhat recovered, he was visited by his brother, sister, and eldest daughter; and also received the ministrations of the Rev. R. S. Oldham, incumbent of St. Mary's Episcopal Church, Renfield Street, of which he formerly had been a member. To this gentleman he made the first of his confessions, particulars of which will be found in the Appendix.

From this time the convict is said to have become more composed, and to have occupied himself with reading the Bible and other works of a religious character. He was frequently visited by the Rev. Dr. Norman Macleod, of the Barony Parish Church; the Rev. Dr. Millar, of Free St. Matthew's; and the Rev. J. Watson Reid, and was by these gentlemen induced, on 19th July, to make a further and more full confession of his guilt. It will be observed that this document, which includes an exhaustive list of those to whom he professed his indebtedness for kindness or services rendered to him since his apprehension, contains no reference to the counsel who appeared for him at his trial. He is said to have stipulated, however,

that this confession should not be given to the world until after his execution; a request in which we can still trace his old ambition to gain, so far as possible, the favourable opinion of his fellows. A further example of this may be found in the fact that it was not until making his third confession that he could bring himself to acknowledge the murder of Mrs. Taylor, which hitherto he had strenuously denied.

In Dr. Pritchard's case it is to be noted that, unlike more fortunate criminals, no attempt whatever was made on his behalf with a view to obtaining commutation of the capital sentence. The doctor's day for winning the popular vote was long since over, and public sympathy was reserved for the unfortunate family whom his evil deeds had plunged in grief and shame. It is stated that, as the fatal day approached, the convict intimated his intention of making a speech from the scaffold, a proceeding which would have been eminently characteristic of his former love of notoriety; but, yielding to the representations of the reverend gentlemen who were attending him, he agreed not to address the public.

On Monday, the 27th, Dr. Pritchard was removed from the North Prison, Duke Street, to the South Prison, in front of which, upon Glasgow Green, the execution was to take place the following day. There the convict was frequently visited by the Revs. Mr. Oldham and Mr. Reid, as also by the Rev. Mr. Doran, the chaplain of the jail. His time is said to have been chiefly occupied in reading the Bible and writing various letters. One of these, addressed to his brother-in-law, Dr. Michael Taylor, was in the following terms:—

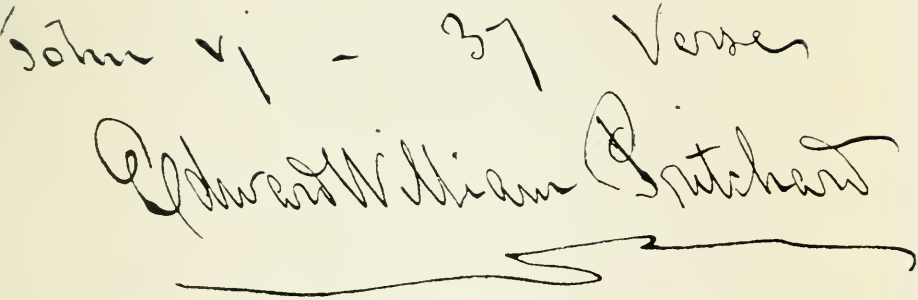
"27th July, 1865.

"Farewell, brother, I die in twenty hours from this. Romans viii. 34 to 39 verses.

"Mary Jane, Darling Mother, and you, I will meet, as you said the last time you spoke to me, 'in happier circumstances.' Bless you and yours, prays the dying penitent,

"Edward William Pritchard."

During the last hours that he spent on earth, the convict maintained an even placidity of demeanour, spoke confidently of his assurance of being saved from perdition, and avowed his readiness to die the death he had deserved.



Facsimile of Dr. Pritchard's signature, written in Prison four days before his Execution.

Meanwhile, the arrangements for the execution were in progress; and Calcraft, the public executioner, arrived in Glasgow to superintend the erection of the scaffold, which the workmen commenced to put up at two o'clock on the morning of Friday, 28th July, upon which day the unhappy prisoner was to suffer the last penalty of the law. Considerable interest attaches to the execution of Dr. Pritchard, as being the last public execution which took place in Glasgow, if not in Scotland; and a contemporary account of the proceedings is therefore given in the Appendix. It is a singular reflection that, so recently as forty years ago, such a shocking and degrading spectacle could have been publicly enacted in a civilised country in presence, it is said, of 100,000 onlookers, without one dissentient voice being raised in protest against it.

By permission of the magistrates and prison authorities, Mr. Alexander Stewart, of the Edinburgh Phrenological Museum, was permitted to take a cast of the convict's head immediately after his execution, notes on the examination of which will be found in the Appendix. The body was thereafter interred in the graveyard of the prison, where, scratched upon a stone, the letter "P" alone distinguishes it from those of other malefactors who have met a similar doom, and await, in that dreary resting-place, their summons to the Great Assize.

Thus perished ignominiously upon a public scaffold, by the hands of the common hangman, one whom many in that vast assemblage must long have known only as the urbane and courteous gentleman, the genial lecturer, the kindly physician, and the amiable and pious philanthropist. The strange thing is that a life largely spent in endeavouring to earn, however undeservedly, the approbation of others should end thus, amid the execration or indifference of thousands of his fellow-citizens; and that the name of Dr. Pritchard should for all time be associated with a deliberate cruelty and dissimulation unequalled even in the dark pages of the history of crime.

The single redeeming feature presented by a character, in other respects, of unexampled villainy is the convict's affection for his children, which, among so much else that was false and mendacious, appears to have been perfectly sincere. The fondness subsisting between him and his eldest daughter, who

visited him frequently in prison till shortly before his last day, was specially strong; and it is touching to read of the poor child writing a letter to one of the officials, begging him to be kind to her "dear papa." With this exception, however, no criminal career of which we have any record exhibits a more shocking combination of wickedness, hypocrisy, and blasphemy than that of the man, who, leaving the deathbed of his murdered wife, methodically entered in his diary a prayer to the Holy Trinity to welcome her whom his foul hand had, but a moment before, relentlessly done to death.

W. R.

Leading Dates in the Pritchard Case.

1864, November 16.—Dr. Pritchard buys an ounce of tartarised antimony.

24.—Dr. Pritchard buys an ounce of tincture of aconite.

26.—Mrs. Pritchard goes to Edinburgh on a visit to her relatives.

December 8.—Dr. Pritchard buys an ounce of Fleming's Tincture of Aconite.

22.—Mrs. Pritchard returns to Glasgow.

1865, February 1.—Mrs. Pritchard's first violent attack of illness.

7.—Dr. Cowan visits Mrs. Pritchard.

Dr. Pritchard buys an ounce of tartarised antimony; also an ounce of tincture of aconite.

8.—Dr. Cowan leaves; second severe attack of Mrs. Pritchard; Dr. Gairdner sent for.

9.—Dr. Gairdner calls again.

Dr. Pritchard buys an ounce of tincture of aconite.

10.—Mrs. Taylor comes from Edinburgh to nurse her daughter.

13.—The incident of the tapioca.

16.—Catherine Lattimer leaves; Mary Patterson succeeds her.

18.—Dr. Pritchard buys an ounce of Fleming's Tincture of Aconite.

24.—Mrs. Taylor taken ill; Dr. Paterson called in.

25.—Death of Mrs. Taylor.

March 1.—Dr. Pritchard meets Dr. Paterson and asks him to see Mrs. Pritchard.

2.—Funeral of Mrs. Taylor; Dr. Patterson visits Mrs. Pritchard.

4.—Dr. Paterson writes to registrar, refusing to certify the cause of Mrs. Taylor's death.

Dr. Pritchard.

1865, March 5.—Dr. Pritchard calls on Dr. Paterson and says his wife is better.

13.—Dr. Pritchard buys half an ounce of Fleming's Tincture of Aconite.

13 and 14.—The episode of the cheese.

15.—The egg-flip incident.

17.—Final violent illness of Mrs. Pritchard; Dr. Paterson sent for.

18.—Death of Mrs. Pritchard.

20.—Body removed to Edinburgh; Dr. Pritchard apprehended on his return to Glasgow.

21.—*Post-mortem* examination on Mrs. Pritchard by Drs. Maclagan and Littlejohn.

22.—Prisoner emits first declaration before the Sheriff.

30.—Mrs. Taylor's body exhumed, and *post-mortem* examination thereon by Drs. Maclagan and Littlejohn.

April 21.—Prisoner emits second declaration.

May 31.—Indictment served on the prisoner.

July 3.—First day of trial; evidence for prosecution.

4.—Second day; evidence for prosecution, continued.

5.—Third day; evidence for prosecution, concluded.

6.—Fourth day; evidence for defence; addresses to jury.

7.—Fifth day; Lord Justice-Clerk's charge; verdict—guilty; sentence—death.

11.—Confession by convict.

19.—Further confession.

28.—Execution.

THE TRIAL.

MONDAY, 3RD JULY, 1865.

The Court met at Ten o'clock.

Judges Present—

THE LORD JUSTICE-CLERK (*Inglis*).
LORD ARDMILLAN.
LORD JERVISWOODE.

Counsel for the Crown—

THE SOLICITOR-GENERAL (*Young*).
ADAM GIFFORD and JAMES ARTHUR CRICHTON, Esqs., *Advocates-Depute.*

Agent—
Mr. ANDREW MURRAY, Jun., W.S.

Counsel for the Panel—

ANDREW RUTHERFURD CLARK, WILLIAM WATSON, and DAVID BRAND, Esqs., *Advocates.*

Agents—
Mr. HENRY BUCHAN, S.S.C., Edinburgh; Mr. JAMES GALBRAITH, of Messrs. Galbraith & Maclay, Writers, Glasgow.

Dr. Pritchard.

The panel was placed at the bar, charged with the crime of murder, as set forth in the following indictment against him, at the instance of Her Majesty's Advocate:—

Edward William Pritchard, now or lately a doctor of medicine, and now or lately prisoner in the prison of Glasgow, you are indicted and accused, at the instance of James Moncrieff, Esquire, Her Majesty's Advocate, for Her Majesty's interest: That albeit, by the laws of this and of every other well-governed realm, murder is a crime of an heinous nature, and severely punishable: Yet true it is and of verity, that you, the said Edward William Pritchard, are guilty of the said crime, actor, or art and part: In so far as (1) on one or more occasions between the 10th and 25th days of February, 1865, inclusive, the particular occasions or occasion being to the prosecutor unknown, within or near the dwelling-house in or near Clarence Place, Sauchiehall Street, Glasgow, then occupied by you, the said Edward William Pritchard, you did wickedly and feloniously administer to, or cause to be taken by Jane Cowan or Taylor, now deceased, wife of Michael Taylor, now or lately silk and lace merchant, then residing in or near Lauder Road, in or near Grange, Edinburgh, and now or lately residing with Ann Taylor or Cowan in or near High Street, Musselburgh, in the shire of Edinburgh, in tapioca, and in porter or beer, and in a medicine called Battley's sedative solution, or one or more of them, or in some medicine to the prosecutor unknown, or in some articles or article of food or drink to the prosecutor unknown, or in some other manner to the prosecutor unknown, tartarised antimony and aconite and opium, or one or more of them, or some other poison or poisons to the prosecutor unknown: And the said Jane Cowan or Taylor having taken the said tartarised antimony and aconite and opium, or one or more of them, or other poison or poisons, so by you administered, or caused to be taken, did in consequence thereof die on or about the 25th day of February, 1865, and was thus murdered by you, the said Edward William Pritchard: Likeas (2), on repeated occasions, or on one or more occasions, between the 22nd day of December, 1864, and the 18th day of March, 1865, inclusive, and in particular on the 8th, 9th, and 21st days of February, 1865, and on the 13th, 14th, 15th, 16th, 17th, and 18th days of March, 1865, the particular occasions or occasion being otherwise to the prosecutor unknown, within or near the said dwelling-house in or near Clarence Place, Sauchiehall Street, Glasgow, then occupied by you, the said Edward William Pritchard, you did, wickedly and feloniously, administer to or cause to be taken by Mary Jane Taylor or Pritchard, now deceased, your wife, and then residing with you in egg-flip, and in cheese, and in porter or beer, and in wine,

or one or more of them, or in some medicine to the prosecutor unknown, or in some articles or article of food or drink to the prosecutor unknown, or in some other manner to the prosecutor unknown, tartarised antimony and aconite, or one or other of them, or some other poison or poisons to the prosecutor unknown; and the said Mary Jane Taylor or Pritchard having taken the said tartarised antimony and aconite, or one or other of them, or other poison or poisons, so by you administered or caused to be taken, did in consequence thereof die on or about the 18th day of March, 1865, and was thus murdered by you, the said Edward William Pritchard: And you, the said Edward William Pritchard, having been apprehended and taken before Sir Archibald Alison, Baronet, Advocate, Sheriff of Lanarkshire, did, in his presence, at Glasgow, on the 22nd day of March, 1865, emit and subscribe a declaration: And you, the said Edward William Pritchard, having been afterwards taken before the said Sir Archibald Alison, Baronet, did, in his presence, at Glasgow, on the 21st day of April, 1865, emit and subscribe a declaration: Which declarations, as also the papers, documents, diaries, letters, envelopes, books, and articles enumerated in an inventory hereunto annexed, or one or more of them, being to be used in evidence against you, the said Edward William Pritchard, at your trial, will for that purpose be in due time lodged in the hands of the Clerk of the High Court of Justiciary, before which you are to be tried, that you may have an opportunity of seeing the same: All which, or part thereof, being found proven by the verdict of an Assize, or admitted by the judicial confession of you, the said Edward William Pritchard, before the Lord Justice-General, Lord Justice-Clerk, and Lords Commissioners of Justiciary, you, the said Edward William Pritchard, ought to be punished with the pains of law, to deter others from committing the like crimes in all time coming.

JAS. ARTHUR CRICHTON, A.D.

Inventory of Papers, Documents, Diaries, Letters, Envelopes, Books, and Articles referred to in the foregoing Indictment—

1. Medical report or certificate, bearing to be dated "Edinburgh, 21st March, 1865," and to be subscribed "Douglas Maclagan, Henry D. Littlejohn," or to be similarly dated and subscribed.
2. Chemical or other report or certificate, bearing to be dated "Edinburgh, 11th April, 1865," and to be subscribed "Douglas Maclagan," or to be similarly dated and subscribed.
3. Chemical or other report or certificate, bearing to be dated "Andersonian, Glasgow, 9th May, 1865," and to be subscribed "Frederick Penny, Glasgow, 9th May, 1865," or to be similarly dated and subscribed.

4. Medical report or certificate, bearing to be dated "Edinburgh, 30th March, 1865," and to be subscribed "Douglas Maclagan, Henry D. Littlejohn," or to be similarly dated and subscribed.

5. Chemical or other report or certificate, bearing to be dated "Edinburgh, 13th April, 1865," and to be subscribed "Douglas Maclagan," or to be similarly dated and subscribed.

6. Chemical or other report or certificate, bearing to be dated "Andersonian, Glasgow, 9th May, 1865," and to be subscribed "Frederick Penny, Glasgow, 9th May, 1865," or to be similarly dated and subscribed.

7. Chemical or other report or certificate, bearing to be dated "Andersonian, Glasgow, 17th May, 1865," and to be subscribed "Frederick Penny, 17th May, 1865," or to be similarly dated and subscribed.

8. Chemical or other report or certificate, bearing to be dated "Andersonian, Glasgow, 19th May, 1865," and to be subscribed "Frederick Penny, 19th May, 1865," or to be similarly dated and subscribed.

9. Letter, bearing to be dated "Northern Club, 15th March, /65," and to be subscribed "Jas. M. Cowan," or to be similarly dated and subscribed.

10. Letter, bearing to be dated "Clydesdale Bank, Glasgow, 18th March, 1865," and to be subscribed "Alex. Mathers, secy.," or to be similarly dated and subscribed, and attached along with No. 9 of Inventory to a sealed label marked No. 9/10; as also the said label.

11. Document, titled on the back "Account current, Mrs. Taylor's Trustees In Account with William Bell."

12. Document, titled on the back "Medical Prescription," initialed "S. J. M., No. 12."

13. Document, titled on the back "Medical Prescription," initialed "E. W. P., No. 13."

14. Envelope, having printed on the back, "Prescription prepared at Glasgow Apothecaries Compy.'s Western Branch Establishment, 251 Sauchiehall Street, Glasgow, John Campbell, manager," and attached along with Nos. 12 and 13 of Inventory to a sealed label marked No. 12/14; as also the said label.

15. Document, titled on the back "Medical Prescription," initialed "E. W. P., No. 15."

16. Envelope, having printed on the back, "Prescription prepared at Glasgow Apothecaries Compy.'s Western Branch Establishment, 251 Sauchiehall Street, Glasgow, John Campbell. manager," and marked in ink "No. 1."

17. Document, titled on the back "Medical Prescription," initialed "E. W. P., No. 17," or similarly titled.

18. Envelope, having printed on the back "Prescription prepared at Glasgow Apothecaries Compy.'s Western Branch Establishment, 251 Sauchiehall Street, Glasgow, John Campbell, manager," and marked in ink "No. 2."

19. Diary, titled on the outside "Lett's Medical Diary, 1865," or similarly titled, and having written on the inside of one of the boards thereof the following or similar words:—"Edward William Pritchard, 131 Sauchiehall Street, Glasgow, 'Spes non fracta.'"

20. Diary, titled on the outside "Blackwood's Shilling Scribbling Diary, 1865," or similarly titled, having written thereon the following or similar words:—"Dr. Pritchard, 131 Sauchiehall Street."

21. Letter, in two pieces, bearing to be dated "Edinbro., Feby. 24th, 1865," and to be subscribed "Michael Taylor," or

to be similarly dated and subscribed, and having sealed label attached, marked "No. 21"; as also said label.

22. Letter, commencing with the following or similar words:—"1 Lauder Road. My dear Edward, Yesterday I saw Mr. Bell," and bearing to be subscribed "Jane Taylor," or to be similarly subscribed.

23. Letter, in two pieces, commencing with the following or similar words:—"My dear Mary, you will receive enclosed a note," and bearing to be subscribed "J. Taylor," or to be similarly subscribed.

24. Letter, bearing to be dated "1 Lauder Road Sunday," commencing with the following or similar words:—"My dearest Ted, I have carefully read over," and bearing to be subscribed "Minnie," or to be similarly subscribed.

25. Letter, bearing to be dated "1 Lauder Road, Wednesday," commencing with the following or similar words:—"My dear Edward, I received your note with the enclosures," and to be subscribed "Jane Taylor," or to be similarly subscribed.

26. Letter, bearing to be dated "1 Lauder Road, Thursday," commencing with the following or similar words:—"My dear Mary, I am just going to town," and bearing to be subscribed "J. Taylor," or to be similarly subscribed.

27. Letter, commencing with the following or similar words:—"Dear Edward, you will receive the enclosed." and bearing to be subscribed "J. Taylor," or to be similarly subscribed.

28. Letter, bearing to be dated "1 Lauder Road, Edinburgh, 16th June, 1864," and to be subscribed "Jane Taylor," or to be similarly dated and subscribed, and attached along with Nos. 22, 23, 24, 25, 26, and 27 of Inventory to a sealed label marked "No. 22/28"; as also said label.

29. Letter, bearing to be dated "1 Laud. Friday Evening," commencing with the following or similar words:—"My dear Edward, You cannot think how much we were," and bearing to be subscribed "J. Taylor," or to be similarly subscribed, and attached, along with three other letters, to a sealed label, marked "No. 29"; as also said label.

30. Letter, commencing with the following or similar words:—"I love you, I Lauder Road Grange Edinr. My darling Papa," and ending with the following or similar words:—"From your devoted & loving child Fa Fa Sunday Evening Edinbourgh."

31. Letter, bearing to be dated "1 Lauder Road, Grange, Edinburgh, 5th Decr. /64," and ending with the following or similar words:—"Kisses from your loving and devoted child Fa Fa," and attached, along with No. 30 of Inventory, to a sealed label, marked "No. 30/31"; as also said label.

32. Letter, bearing to be dated "I Lauder Road, Edinburgh," commencing with the following or similar words:—"My dear Edward, Kenny and I arrived," and ending with the following or similar words:—"Ever your Minnie."

33. Letter, bearing to be dated "1 Lauder Road," and commencing with the following or similar words:—"My dearest Ted, This is your natal day," and ending with the following or similar words:—"Yours Minnie."

34. Letter, bearing to be dated "1 Lauder Road, Edinburgh," and commencing with the following or similar words:—"My dear Ted, I am very vexed to hear," and ending with the following or similar words:—"Ever dear Ted your Minnie."

35. Envelope, bearing the Edinburgh and Glasgow post-marks of 28th November, 1864, and to be addressed "Dr. Pritchard, 131 Sauchiehall Street, Glasgow," or to be similarly addressed.

Dr. Pritchard.

36. Letter, in two pieces, bearing to be dated "Monday, afternoon," commencing with the following or similar words:—"My dearest Ted I was quite," and bearing to be subscribed "Ever your Minnie," or to be similarly subscribed.

37. Envelope, bearing the Edinburgh and Glasgow post-marks of 19th December, 1864, and to be addressed "Dr. Pritchard, 131 Sauchiehall Street, Glasgow," and to be similarly addressed, and attached, along with Nos. 32, 33, 34, 35, and 36 of Inventory, to a sealed label, marked "No. 32/37"; as also said label.

38. Letter, bearing to be dated "Friday 131 Sau——ll Street," commencing with the following or similar words:—"My dear Fanny, I have not writen you so often," and bearing to be subscribed "Jane Taylor," or to be similarly subscribed.

39. Letter, bearing to be dated "Glasgow 13.3.1865," and to be subscribed "your affectionate parents Edward and Mary," or to be similarly dated and subscribed, with postscript initialed "E. W. P."

40. Letter, commencing with the following or similar words:—"My dear Fan, Papa answered your letter," and bearing to be subscribed "Mary Pritchard," or to be similarly subscribed.

41. Letter, bearing to be dated "Friday evening 131 Sauchiehall Street," commencing with the following or similar words:—"My dear Fanny, I have written to Miss Kennedy," and bearing to be subscribed "J. Taylor," or to be similarly subscribed.

42. Letter, bearing to be dated "Wednesday, 131 Sauchiehall Street, Glasgow, commencing with the following or similar words:—"My dearest Fan, I got your letter yesterday," and bearing to be subscribed "Mary Pritchard," or to be similarly subscribed.

43. Letter, bearing to be dated "14th 11—64," and to be subscribed "your affectionate Papa Edward," or to be similarly subscribed, and attached, along with Nos. 38, 39, 40, 41, and 42 of Inventory, and thirteen other letters, to a sealed label, marked "Nos. 38/43"; as also said label.

44. Letter, bearing to be dated "Glasgow, 3. 3. 65." and to be subscribed "Yours affectionately Edward," or to be similarly dated and subscribed.

45. Letter, bearing to be dated "Glasgow, 6th March 1865," and to be subscribed "Yours affectionately Edward," or to be similarly dated and subscribed.

46. Letter, bearing to be dated "8th March 1865," and to be subscribed "your affectionate son in law, Edward," or to be similarly dated and subscribed.

47. Letter, bearing to be dated "Glasgow 9th 3—65," and to be subscribed "Your affectionate son-in-law in much grief, Edward," or to be similarly dated and subscribed.

48. Letter, bearing to be dated "Glasgow, Monday," commencing with the following or similar words:—"My Dear Father, Kindly send," and bearing to be subscribed "affectionately yours Edward," or to be similarly subscribed.

49. Letter, bearing to be dated "Glasgow, 13th. 3. 65," and to be subscribed "your affectionate son in law Edward," or to be similarly dated and subscribed.

50. Letter, bearing to be dated "Glasgow, 13th. 3. 65," and to be subscribed "your affectionate son in law Edward," or to be similarly dated and subscribed.

51. Letter, in two pieces, bearing to be dated "21 Blythswood Square, Glasgow, Feby. 9th, 1865," and to be subscribed "W. T. Gairdner," or to be similarly dated and subscribed, with relative envelope, bearing the Glasgow and Penrith post-marks of 9th

February, 1865, addressed "Dr. Michael Taylor, Penrith, Cumberland," or similarly addressed.

52. Letter, bearing to be dated "21 Blythswood Square, Glasgow. Feby. 13, 1865," and to be subscribed "W. T. Gairdner," or to be similarly dated and subscribed, with the relative envelope, bearing the Glasgow and Penrith post-marks of 14th February, 1865, and addressed "Dr. Michael Taylor, Penrith," or similarly addressed.

53. Letter, bearing to be dated "Glasgow, 14th. 3. 65," and to be subscribed "Edward W. Pritchard," or to be similarly dated and subscribed, with the relative envelope, bearing the Glasgow and Penrith post-marks of 14th March, 1865, and addressed "Dr. Taylor, &c., &c., &c., Hutton-Hall, Penrith, Cumberland. E. W. P.," or similarly addressed.

54. Document, titled on the back "Extract Entry of the death of Jane Cowan or Taylor from the Register Book of deaths of the Blythswood District of Glasgow," or similarly titled.

55. Document, titled on the back "Certificate granted by Dr. Pritchard to the Registrar of Blythswood District relative to the death of Jane Cowan or Taylor," or similarly titled.

56. Document, titled on the back "Extract Entry of the death of Mary Jane Taylor or Pritchard from the Register Book of deaths of the Blythswood District of Glasgow," or similarly titled.

57. Document, titled on the back "Certificate granted by Dr. Pritchard to the Registrar of the Blythswood District, relative to the death of Mary Jane Pritchard," or similarly titled.

58. Document, titled on the back "Account Dr. Pritchard, Sauchiehall St. Bot. of the Glasgow Apothecaries Company, 1865 £7:7:2," or similarly titled.

59. Document, titled on the back "Note of Prescriptions made up for Dr. Pritchard at the Glasgow Apothecaries Coy. 1865," or similarly titled.

60. Document, titled on the back "Excerpts from the Ledger of John Currie," or similarly titled.

61. Document, titled on the back "Medical Prescription," initialed "E. W. P. No. 61." or similarly titled.

62. Document, titled on the back "Medical Prescription No. 62," or similarly titled.

63. Document, titled on the back "List of articles supplied by Murdoch Brothers to Dr. Pritchard," or similarly titled.

64-75. A list of documents, twelve in number, titled on the back "Medical Prescriptions Nos. 64/75," or similarly titled.

76. Document, titled on the back "Telegraphic Message Richard King to Dr. Cowan," or similarly titled.

77. Document, titled on the back "Telegraphic Message Richard King to Mr. Taylor," or similarly titled.

78. Document, titled on the back "Telegraphic Message Dr. Pritchard to Dr. Cowan," or similarly titled.

79. Document, titled on the back "Telegraphic Message Dr. Pritchard to Mr. Taylor," or similarly titled.

80. Ticket, marked on one side "5550," "C/u," "5/3"; and on the other "C/u," or similarly marked, and having attached a "sealed label, marked No. 80"; as also said label.

81. Document, titled on the back "Extract Registered (Probative) Testament by Mrs. Jane Cowan or Taylor dated 5th September, 1855, Regd. 8th March, 1865," or similarly titled.

82. Diary, titled on the outside "Lett's Medical Diary 1864," and marked on the inside of one of the boards thereof "Edward William Pritchard 22 Royal Crescent. Spes non fracta," or similarly titled and marked.

83. Cheque for £5 on the City of Glasgow Bank, Charing Cross Branch, bearing to be dated "Glasgow 20th March 1865," and to be subscribed "Edward William Pritchard," or to be similarly dated and subscribed, with relative paper attached thereto with the words "no funds" written thereon, or similar words; and also slip of paper commencing with the words "Bill £5," and ending with the words "no funds," or similar words.

84. Packet, containing tapioca, and having a sealed label attached, marked A; as also said label.

85. Bottle, containing a dark-coloured liquid, with label affixed thereon having the following or similar words printed thereon:—"Murdoch Brothers Chemists 113 Union Street & 143 Sauchiehall Street Glasgow Battley's Sedative Solution 2 drops equal to 3 of Laudanum," and having a sealed label attached, marked B; as also said label.

86. Seven paper packets, the contents of six being powders, and the seventh a dark, solid lump, and having a sealed label attached, marked C; as also said label.

87. Bottle, containing ginger wine, and having a sealed label attached, marked D; as also said label.

88. Phial, corked, containing a small quantity of white powder, and having a portion of a label affixed thereon, with "Timon" printed thereon, and attached, along with another cork, to a sealed label, marked E; as also said label.

89. Phial, corked, having a label affixed thereon, with the words "From Glasgow Apothecaries Company 251 Sauchiehall Street," or similar words printed thereon, and the words "Tinct Conii Macul" written thereon; as also said label.

90. Phial, corked, having a label affixed thereon, with the words "Murdoch Brothers 113 Union Street & 143 Sauchiehall Street" or similar words printed thereon, and the words "Tinct Conii" written thereon; as also said label.

91. Phial, corked, having a label affixed thereon, with the words "Tinct Conii Mac" written thereon, and attached, along with Nos. 89 and 90 of Inventory and two corks and a glass stopper, to a sealed label, marked F; as also said label.

92. Phial, corked, nearly filled with a yellowish-coloured liquid, and having two labels affixed thereon, on one of which the words "From Glasgow Apothecaries Company 251 Sauchiehall Street" or similar words are printed, and the words "to be repeated every fourth hour" or similar words are written. The second label has the words "Shake the Bottle" or similar words printed thereon. The phial is attached to a sealed label, marked G; as also said labels.

93. A piece of cheese, having a sealed label attached, marked H; as also said label.

94. Six phials, corked, five of them presenting the appearance of having had labels affixed, but which had been nearly altogether scraped off. On one of these five, on a portion of the label still remaining, are the letters "Aco" in writing, and on another of them is the letter "A" in writing. The said phials are attached, along with six corks, to a sealed label, marked I; as also the said label.

95. A packet, containing tapioca, having a sealed label attached, marked K; as also said label.

96. A nightdress, a cap, a chemise, a knitted woollen semmet, a woollen polka or jacket, a pair of stockings, and three handkerchiefs, having a sealed label attached, marked L; as also said label.

97. Two sheets, two pillow-cases, two towels, and one toilet

cover, having a sealed label attached, marked M; as also the said label.

98. A number of red-coloured powders, having a sealed label attached, marked N; as also the said label.

99. A gold or other metal brooch, with turquoise or other stones, a ring, a locket in blue enamel and cross, and a silver anchor or other shawl-pin, having a sealed label attached, marked O; as also the said label.

100. Pass-book, titled on the outside "Clydesdale Banking Company Dr. Pritchard," or similarly titled.

101. Pass-book, titled on the outside "City of Glasgow Bank," or similarly titled, and having written on the board inside the following or similar words:—"Dr. Pritchard 11 Berkeley Terrace."

102. Scroll-book, commencing "26th March /64 Wm. Houldsworth Esq. 17 Park Ter," or commencing similarly.

103. Scroll-book, commencing "20th Septr. /64; Tuesday 20th Septr. 1864 Mrs. C. G. Mitchell," or commencing similarly.

104. Scroll-book, commencing "Thursday 2d. Feby. /65," or commencing similarly.

105. Book, titled on the back "Day Book No. 8." or similarly titled, and commencing "July 10th 1863 Mrs Ferguson Crossbank House," or commencing similarly.

106. Book, titled on the back "Ledger No. 2," or similarly titled, and the first entry therein commencing "Charles Reddie 6 Woodlands Terrace 1859 Jany. 1," or commencing similarly.

107. Book, titled on the back "Day Book 1864," or similarly titled, the first entry therein commencing "1864 March 29 Mr Walker Sauchiehall St," or commencing similarly.

108. Book, titled on the back "Ledger," the first entry therein commencing "Jno. Currie & Coy 1863—amount from Ledger 3," or commencing similarly.

109. Book, counter jotter, having no title, the first entry therein commencing "March 5 /63 Thursday," or commencing similarly.

110. Book, counter jotter, having no title, the first entry therein commencing "1st October, 1864, Miss Hamilton, Douglas St." or commencing similarly.

111. Book, titled on the back "Jot. No. 4," or similarly titled.

112. Stock book, marked on the outside cover thereof, "113 Union Street in a/c with 143 Sauchiehall Street From August 1860, to," or similarly marked.

113. Scroll-book, having no title, the first entry therein commencing "Thursday 29th Sept. 1864 Miss Miller 1 Park Circus," or commencing similarly.

114. Ledger, having no title, having written on the fly-leaf thereof the following or similar words:—"Burton & Hislop, 192 Sauchiehall Street Glasgow. Burton and Henderson 10 March 1856."

115. Document, titled on the back "Invoice Messrs Barron & Co. Bot. of Battley & Watts 7 May 1864," or similarly titled.

116. Document, titled on the back "Invoice Messrs Barron & Harvey Bot. of Battley & Watts 13: Dec. 1864," or similarly titled.

117. Document, titled on the back "Invoice Messrs Murdoch Bros. Bot. of Barron, Harveys, Becket & Simpson May 7th 1864," or similarly titled.

118. Document, titled on the back "Invoice Messrs Murdoch Bros. Bot. of Barron, Harvey's, Becket & Simpson Decr. 13th 1864," or similarly titled.

119. A jar, corked, and having a label attached, with the following or similar words written thereon:—"Lauder Road Grange

Edinburgh The Contents of this Jar taken from the body of the deceased Mary Jane Taylor or Pritchard of this date and referred to by Douglas Maclagan. Henry D. Littlejohn. John Murray. James Ford. Label I. 21 March 1865"; as also the said label.

120. A bottle, corked, and having a label attached with the following or similar words written thereon:—"Lauder Road—Grange Edinburgh. 21 March 1865—The contents of this bottle taken from the body of the deceased Mary Jane Taylor or Pritchard and referred to by Douglas Maclagan. Henry D. Littlejohn. John Murray. James Ford. Label II"; as also said label.

121. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"Lauder Road Grange. Edinburgh 21 March, 1865. The contents of this bottle taken from the body of the deceased Mary Jane Taylor or Pritchard of this date & referred to by Douglas Maclagan. Henry D. Littlejohn. John Murray. James Ford. Label III"; as also said label.

122. A jar, corked, and having a label attached, with the following or similar words written thereon:—"Edinburgh 30th March 1865. This Jar contains the following organs taken by us this day from the body of Mrs. Taylor at the Grange Cemetery. Portion of Brain. Tongue, Trachea, and Æsophagus, Heart. Liver, Spleen, both Kidneys, Uterus, and Bladder. Douglas Maclagan. Henry D. Littlejohn. No. I"; as also said label.

123. A jar, corked, and having a label attached, with the following or similar words written thereon:—"Edinburgh 30th March 1865. This Jar contains the intestinal canal of Mrs Taylor removed by us this day from her body, at the Grange Cemetery. Douglas Maclagan. Henry D. Littlejohn. No. II"; as also said label.

124. A bottle, having a label attached, with the following or similar words written thereon:—"Edinburgh 30th March 1865. This bottle contains the stomach of Mrs. Taylor removed by us this day from her body at the Grange Cemetery. Douglas Maclagan. Henry D. Littlejohn. No. III"; as also said label.

125. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"Edinburgh 30th March 1865. This bottle contains blood taken by us this day from the body of Mrs. Taylor at the Grange Cemetery. Douglas Maclagan. Henry D. Littlejohn. No. IV"; as also said label.

126. A jar, corked, and having a label attached, with the following or similar words written thereon:—"Portion of rectum, pyloric half of Stomach, half of Kidney, portion of Spleen from Mrs. Pritchard's body A. D. M. F. P. 10th April 1865"; as also said label.

127. A jar, having a label attached, with the following or similar words written thereon:—"Portion of liver of Mrs Pritchard A. D. M. F. P. 10th April 1865"; as also said label.

128. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"Portion of heart of Mrs. Pritchard A. D. M. F. P. 10th April 1865"; as also said label

129. A jar, having a label attached, with the following or similar words written thereon:—"Portion of Brain of Mrs Pritchard A. D. M. F. P. 10th April 1865"; as also said label.

130. A bottle, with glass stopper, and having a label attached, with the following or similar words written thereon:—"Blood of Mrs. Pritchard A. D. M. F. P. 10th April, 1865"; as also said label.

131. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"255 grains of dried contents of intestines of Mrs Pritchard A. D. M. F. P. 10th April 1865"; as also said label.

132. A jar, with stone cover, and having a label attached, with the following or similar words written thereon:—"Portion of Liver of Mrs. Taylor A. D. M. F. P. 10th April 1865"; as also said label.

133. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"One half of the Stomach of Mrs Taylor A. D. M. F. P. 10th April 1865"; as also said label.

134. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"Portion of heart of Mrs Taylor, A. D. M. F. P. 10th April 1865"; as also said label.

135. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"Portion of Rectum of Mrs. Taylor A. D. M. F. P. 10th April 1865"; as also said label.

136. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"100 grains of dried contents of intestines of Mrs Taylor A. D. M. F. P. 10th April 1865"; as also said label.

137. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"One Kidney of Mrs. Taylor A. D. M. F. P. 10th April 1865"; as also said label.

138. A bottle, corked, and having a label attached, with the following or similar words written thereon:—"Portion of Blood of Mrs. Taylor A. D. M. F. P. 10th April, 1865"; as also said label.

139. A quart wine bottle, corked, and having a sealed label attached, marked No. 139; as also said label.

140. Two small pasteboard boxes, each containing a white powder, and having a sealed label attached, marked No. 140; as also said label.

141. A small round, wooden box, containing a white powder, and having a sealed label attached, marked No. 141; as also said label.

142. A small phial, corked, containing a dark-coloured liquid, and having two labels thereon, the one having printed thereon the following or similar words:—"Murdoch Brothers Chemists 113 Union Street & 143 Sauchiehall Street, Glasgow, Battley's Sedative Solution 2 drops equal to 3 of laudanum," and the other having written thereon the following or similar words:—"filled out of Union St. Stock on the 16th May 1865 by John M'Millan," and having a sealed label attached, marked No. 142; as also said label.

143. A small phial, corked, containing a dark-coloured liquid, and having two labels thereon, the one having printed thereon the following or similar words:—"Murdoch Brothers Chemists 113 Union Street & 143 Sauchiehall Street, Glasgow, Battley's Sedative Solution 2 drops equal to 3 of laudanum," and the other having written thereon the following or similar words:—"R. S. Brown May 16/65," and having a sealed label attached, marked No. 143; as also said labels.

144. A glass bottle, corked, with a dark-coloured liquid therein and a label thereon, bearing the following or similar words:—"Chlorform S.P.G.R. 1.497 prepared with pure Alcohol by Duncan Flockhart & Co. Chemists to the Queen 52 North Bridge and 139 Princes Street Edinburgh," and attached, along with a glass stopper, to a sealed label marked No. 144; as also said label.

145. Book, titled on the back "Loans on Policies No. 3," or similarly titled.

146. Two photographic likenesses, with sealed label attached, marked No. 146; as also said label.

147. Sale book or other book, commencing with an entry, "Decr. 2 Monday, Plated Brooch u/4023," or commencing similarly.

148. Document, titled on the back, "Telegraphic Message Dr. James Moffat Cowan to Dr. Pritchard," or similarly titled.

149. Document, titled on the back "Minute of Meeting of The Relations &c. of the late Mrs. Jane Taylor 2d. March 1865," or similarly titled.

150. Book, titled on the outside "The Electric Telegraph Company—Received 1864—5," or similarly titled.

151. Letter, bearing to be dated "18th March, 1865," and to be subscribed "Edward W. Pritchard," or to be similarly dated and subscribed.

JAS. ARTHUR CRICHTON, A.D.

LIST OF WITNESSES FOR THE PROSECUTION.

1. Sir Archibald Alison, Baronet, advocate, Sheriff of Lanarkshire.

2. John Gemmel, writer, Glasgow.

3. Peter Morton, now or lately clerk in the Sheriff-clerk's office, Glasgow.

4. Robert Wilson, now or lately clerk in the Sheriff-clerk's office, Glasgow.

5. Bernard M'Laughlin, now or lately sheriff-officer in Glasgow.

6. Catherine Graham or Lattimer, now or lately residing with Margaret Graham, dressmaker, in or near Charlotte Street, Carlisle.

7. Mary M'Leod, servant, now or lately residing with Malcolm Sinclair, blacksmith, in or near Holmscroft Street, Greenock.

8. Mary Patterson, now or lately servant to, and residing with, James Carrick, hotel-keeper, in or near George Square, Glasgow.

9. Thomas Alexander Connell, student, son of, and now or lately residing with, Thomas Connell, at or near Seabank, Helensburgh, in the parish of Row, in the shire of Dumbarton.

10. Richard John Christian King, medical student, son of, and now or lately residing with, the Reverend Richard King, at or near Woodville, Bridgetown, in or near Wexford, Ireland.

11. Agnes Laird, now or lately residing in or near Orme Square, Bayswater, in or near London.

12. Alicia Henning Laird, artist, now or lately residing in or near Orme Square aforesaid.

13. Michael Taylor, silk and lace merchant, now or lately residing with Ann Taylor or Cowan, in or near High Street, Musselburgh, in the shire of Edinburgh.

14. Jane Frances Pritchard, now or lately residing with Joseph Waddy, a solicitor, in or near Wexford aforesaid.

15. Margaret Dickson, now or lately residing with Robert Dickson, labourer, at Moat Hill, Cupar, in the shire of Fife.

16. Jessie Bryden or Nabb, wife of, and now or lately residing with, James Nabb, shipping clerk, in or near West Graham Street, Glasgow.

17. Janet Hamilton, dressmaker, now or lately residing in or near Thistle Street, Garnethill, in or near Glasgow.

18. Eleanor Ingham or Griffin, widow, now or lately residing in or near Saint Vincent Street, Glasgow.
19. Jessie Auchincloss or Skinner, wife of, and now or lately residing with, Thomas Skinner, shipbroker, in or near Fitzroy Place, Sauchiehall Street, in or near Glasgow.
20. James Moffat Cowan, doctor of medicine, now or lately residing with John Corner, a lodging-house keeper, in or near George Street, Edinburgh.
21. William Tennant Gairdner, professor of the practice of medicine in the University of Glasgow, and residing in or near Blythswood Square, Glasgow.
22. Christina Twaddle, now or lately servant to, and residing with, the said William Tennant Gairdner.
23. Michael Waistell Taylor, doctor of medicine, now or lately residing at Hutton Hall, in the town and parish of Penrith and shire of Cumberland.
24. James Paterson, doctor of medicine, now or lately residing in or near Windsor Place, Sauchiehall Street aforesaid.
25. James Struthers, now or lately registrar of the Blythswood district in the burgh of Glasgow, and residing in or near Abbotsford Place, Laurieston, in or near Glasgow.
26. Alexander M'Call, now or lately superintendent of the Central District of the Glasgow Police.
27. Audley Thomson, now or lately sub-inspector in the detective department of the Central Police in Glasgow.
28. John Murray, now or lately sheriff-officer in Glasgow.
29. Douglas Maclagan, otherwise Andrew Douglas Maclagan, professor of medical jurisprudence in the University of Edinburgh, and residing in or near Heriot Row, Edinburgh.
30. Arthur Gamgee, doctor of medicine, now or lately residing in or near Alva Street, Edinburgh.
31. Henry Duncan Littlejohn, doctor of medicine, now or lately residing in or near York Place, Edinburgh.
32. Frederick Penny, professor of chemistry in the Andersonian University, Glasgow, and now or lately residing in or near Windsor Terrace, Glasgow.
33. John Campbell, now or lately manager of the Western Branch Establishment of the Glasgow Apothecaries' Company, in or near Sauchiehall Street aforesaid, and residing in or near Abbotsford Place aforesaid.
34. John Stewart, now or lately assistant in the Saint Vincent Street Branch of the Glasgow Apothecaries' Company, and residing with Janet M'Keller or Colquhoun, widow, in or near Hospital Street, Hutchesontown, in or near Glasgow.
35. John Currie, chemist, now or lately residing in or near Hill Street, Garnethill, in or near Glasgow.
36. Robert Smith Brown, chemist and druggist's assistant, now or lately residing with Catherine M'Donald or Smith, widow, in or near Dorset Street, Glasgow.
37. John M'Millan, chemist and druggist's assistant, now or lately residing with Robert Johnston, clerk, in or near Breadalbane Street, Glasgow.
38. Archibald Campbell Wells, salesman, now or lately residing with Robert Allan Reid, hosier, in or near Sauchiehall Street aforesaid.
39. John Henderson, grocer, now or lately residing at or near Cambridge Street, Glasgow.
40. James Galbraith, writer, Glasgow.
41. Hugh Orr, bank agent, now or lately residing at or near Hunter Terrace, Berkeley Street, in or near Glasgow.

42. Michael Balmain, assistant manager of the Clydesdale Banking Company, at the head office of the said Banking Company, in or near Miller Street, Glasgow.
43. David Johnston Macbrair, solicitor before the Supreme Courts in Edinburgh.
44. Thomas Lees, banker, Musselburgh aforesaid.
45. William Finlay, secretary of the Scottish Equitable Life Assurance Society, Saint Andrew Square, Edinburgh.
46. Thomas Gentles, now or lately agent for the Electric and International Telegraph Company, and residing in or near Clyde Street, Helensburgh aforesaid.
47. Mary Ferguson or Stewart, saleswoman, now or lately residing in or near Duke Street, Glasgow.
48. Christina Stewart, daughter of, and now or lately residing with, the said Mary Ferguson or Stewart.
49. James Shirran or James Milne Shirran, druggist in or near Sauchiehall Street aforesaid, and residing with James Paul, a groom, in or near Renfrew Street, Glasgow.
50. David Reid, now or lately manager to James Walker, undertaker, Cambridge Street, and residing in or near Cambridge Street, Glasgow.
51. David Glen, now or lately superintendent to John Croall & Son, undertakers, in or near Leith Walk, Edinburgh.
52. James Thomson, commission agent, now or lately residing at or near Craigside Place, Edinburgh.
53. Robert Grant, gardener, now or lately residing at or near Causewayside, Edinburgh.
54. Janet Paton or Haley, widow, now or lately residing in or near Skinner's Close, High Street, Edinburgh.
55. James Ford, now or lately sheriff-officer in Edinburgh.
56. Richard Bankes Barron, wholesale druggist, now or lately residing in or near Devonshire Terrace, Hyde Park, London.
57. William Manning Watts, wholesale druggist, now or lately residing at or near Belsize Park, Hampstead, Middlesex, London.
58. Henry Boys Bull, now or lately residing in or near Whitecross Street, Cripplegate, London.
59. David Taylor Alexander, writer, now or lately residing in or near Berkeley Terrace, Glasgow.
60. George Francis Kerr, clerk in the Clydesdale Bank, Glasgow, and now or lately residing in or near Sauchiehall Street, Glasgow.
61. Rebecca Robertson or M'Gregor, wife of, and now or lately residing with, Daniel M'Gregor, waiter, in or near Buchanan Street, Glasgow.
62. Sarah Nott or Taylor, wife of, and now or lately residing with, William Taylor, commission merchant, in or near Rose Street, Garnethill, Glasgow.
63. Alexander M'Lean, joiner, now or lately residing in or near Saint George's Road, Glasgow.
64. Jane Hood, now or lately residing with James M'Naughtan, yarn merchant, in or near Tulliallan Place, Paisley Road, Glasgow.
65. Hector M'Lean, cashier to Robert Hillcoat, wine merchant, and now or lately residing in Saint Vincent Crescent, Glasgow.
66. Alexander Binny, clerk, now or lately residing with Widow Ford, in or near Eglinton Street, Glasgow.
67. Marianne Smith or Long, wife of, and now or lately residing with John Jex Long, manufacturer of blacking, at or near Whitevale, Glasgow.
68. John Simpson, druggist, now or lately one of the partners of Duncan Flockhart & Company, chemists and druggists, North Bridge, Edinburgh

69. George Husband Baird Macleod, doctor of medicine, residing in Woodside Crescent, Glasgow.
70. James Dickie, druggist's assistant, now or lately residing in or near Centre Street, Tradeston, in or near Glasgow.
71. Gavin Buchanan, now or lately assistant registrar of the Blythswood district in the burgh of Glasgow, and residing in or near Hill Place, Stirling Road, Glasgow.
72. Robert Christison, physician, residing in or near Moray Place, Edinburgh.
73. Charles Edward Pritchard, now or lately residing with Charles Augustus Pritchard, secretary to the naval Commander-in-Chief, Plymouth, at or near George Street, Devonport.
74. Horatio Michael Pritchard, now or lately residing with the said Charles Augustus Pritchard.
75. William Kenneth Pritchard, now or lately residing with the said Ann Taylor or Cowan.
76. James Holt, surgeon in the Royal Navy, and now or lately residing in or near Holland Street, Glasgow.
77. John Murray, now or lately residing in or near Oakfield Terrace, Hillhead, in or near Glasgow.
78. David M'Rae, minister of the United Presbyterian Church, Gorbals, and now or lately residing at Braeside House, Queen's Park, Crosshill, in or near Glasgow.
79. Harriet Duckett or Lambeth, wife of, and now or lately residing with, Henry Albert Lambeth, organist, in or near Hill Street, Garnethill, Glasgow.
80. Henrietta Julia Weller or Aldridge, wife of, and now or lately residing with, Thomas Aldridge, in or near Granville Street, Glasgow.
81. The said Thomas Aldridge.
82. Mary Cameron, servant to, and now or lately residing with, Robert Graham, minister of the parish of Kilbarchan, at Kilbarchan Manse, in the shire of Renfrew.
83. William Thomson Henderson, now or lately residing with his mother, Margaret Thomson or Henderson, in or near Windsor Street, New City Road, Glasgow.
84. The said Margaret Thomson or Henderson.
85. Priscilla Kennedy, now or lately residing at Walmer House, Blackford Road, in or near Edinburgh.
86. Ann Kennedy, now or lately residing at Walmer House, aforesaid.
87. Hassanaine Effendi, otherwise Hassanaine Albesuwee, now or lately chief naval architect of Egypt, and now or lately residing in or near Franklin Terrace, Dumbarton Road, Glasgow.

Jas. Arthur Crichton, A.D.

LIST OF ASSIZE.

For the Trial of all Parties cited before the High Court of Justiciary to the 3rd day of July, 1865.

City of Edinburgh.

Special Jurors.

William John Aitchison, brewer, 10 Archibald Place.
James Finlay, watchmaker, 9 Antigua Street.
Thomas Brown Peacock, merchant, 1 Annandale Street.
Alexander Taylor, medical student, 9 Alva Street.

George Sim, writer, 7 Cambridge Street.
John Milne, brassfounder, 44 Albany Street.
John Bertram Stephenson, chemist, 37 George Street.
James Robertson, spirit dealer, 184 Canongate.

Common Jurors.

Robert M'Donald, spirit dealer, 7 Northumberland Street.
Michael Shearer, coal merchant, 9 Lauriston Street.
William Mann, junior, printer, 16 Gilmore Place.
Thomas Inglis, grocer, 11 Lothian Street.
John Sturrock, junior, brassfounder, 6 Queen's Place.
John Campbell, painter, 28 Saint Patrick Square.
David Grant, gas-meter manufacturer, 20 Rankeillor Street.
James Syme, commercial traveller, 49 South Clerk Street.
James Charles, ironmonger, 18 Broughton Street.
Robert Noble, grocer, Brown's Place, Vennel.
John Souter, residing at 24 Gardner's Crescent.
John Adair, temperance hotel-keeper, 219 High Street.
Robert Prentice, painter, 5 Milne's Square.
Robert Anderson, grocer, 29 Hercles Street.
John Mathison, cabinetmaker, 7 Vennel.
Thomas Stark, tobacconist, 81 West Port.

TOWN OF LEITH.

Special Jurors.

George Martin, ironfounder, Wellington Place.
Robert Graham, dairyman, Broad Wynd.

Common Jurors.

David Norrie, shipowner, Baltic Street.
Peter Forrest, plumber and gasfitter, Dock Street.
John Penman, grocer, Giles Street.
John Thomson, bank messenger, Bernard Street.

COUNTY OF EDINBURGH.

Special Jurors.

Thomas Legat, farmer, Pinkiemains.
Andrew Turnbull, grocer, High Street, Portobello.

Common Jurors.

Thomas Thomson, grocer, Elmfield Place, Dalkeith.
William M'Cartney, sea-gravel merchant, New Street, Fisherrow.
William Young, blacksmith, Raw Smithy, Kirknewton.
John Brown, flesher, Penicuik.

COUNTY OF LINLITHGOW.

Special Juror.

Alexander Marshall, draper, Bathgate.

Common Jurors.

Samuel Roger, mason, Blackburn.
Robert Frater, farmer, Law.
Robert Barclay, shoe manufacturer, Linlithgow.

The Trial.

County of Haddington.

Special Jurors.

Stewart L. Seymour, residing in Tranent.
John Blair, merchant, North Berwick.

Common Jurors.

William Reid, plasterer, Dirleton.
George Porteous, farmer, East Linton.
James Burn, corn-dealer, Haddington.

INVENTORY OF PRODUCTIONS

Lodged for Defence.

1-3. Medical prescriptions by E. W. Pritchard.
4. Letter, J. Taylor to Dr. Pritchard, dated 30th May, 1862.
5. Letter, Mrs. Pritchard to Dr. Pritchard, no date.
6. Letter, Jane Taylor to Dr. Pritchard, dated 14th March, 1861.
7. Letter, Jane Taylor to Dr. Pritchard, dated 6th March, 1861.
8. Letter, Jane Taylor to Dr. Pritchard, dated 30th Novr., no year.
9. Letter, Dr. Pritchard to Mrs. Pritchard, dated 13th 12. 64.
10. Letter, Dr. Pritchard to Mrs. Taylor, dated 3rd 2. 65.
11. Letter, Mrs. Pritchard to Dr. Pritchard, no date.
12. Letter, Mrs. Taylor to Dr. Pritchard, no date.
13. Campbell's Commercial Diary for 1863.
14. The whole papers, documents, diaries, letters, envelopes, books, and articles enumerated on pages 3 to 10 inclusive appended to the Indictment.
15. A wooden box, containing—
    A bottle, with label attached, dated 21st March, 1865; 5 ointment boxes, labels dated 22nd March, 1863; &c., &c.
16. A tin box, containing—
    A number of glass tubes, bottles, &c.; 4 crucibles, 58 small wooden boxes, labelled Kemp & Co., chemists, Edinburgh; 23 bottles with corks covered with leather; and 3 bottles with glass stoppers.
17. Medical Diary for 1863.
18. List of accounts due to Dr. Pritchard.
19. List of accounts due by Dr. Pritchard.
20 and 21. Account sales of Dr. Pritchard's household effects.
22. Letter, by Mrs. Jane Taylor to James Moffat Cowan, Esq., M.D., dated "Edinburgh 29 June 1858."
23. Copy of that letter, having annexed thereto a letter dated "Edinburgh 30 June 1858," signed "Jas. M. Cowan, Edward William Pritchard. D. J. Macbriar," and addressed "Mrs. Jane Taylor, 22 Minto Street, Edinburgh."
24. Letter, dated "1 Lauder Road, Edinburgh, 16 June, 1864," signed "Jane Taylor," and addressed to "D. J. Macbrair Esq. S.S.C. Edinburgh."
25. Letter, addressed to "Messrs. James Moffat Cowan, M.D., Edward William Pritchard, Surgeon, and David Johnston Macbrair S.S.C.," and dated "6th July, 1864," subscribed by Michael Taylor and by Wm. Bell and John M. Le Conte as witnesses, and having annexed thereto receipt dated 5 July, 1864, by Jane Taylor to the said James Moffat Cowan, Edward William Pritchard, and David Johnston Macbrair for the sum of £527 7s.

26. Testament by Mrs. Jane Cowan or Taylor No. 22 Minto Street, Edinburgh, dated 5th September 1855.
27. Document, commencing "Friday Evening, 131 Sauchiehall Street, Miss Kennedy, Dear Madam," and ending "and what is wanted will be attended to."
28. Copy of the late Mrs. Taylor's accounts to Thomas Fairgrieve, chemist and druggist, Edinburgh, commencing March. 1862, and ending 22nd February, 1865, certified to be correct by the said Thomas Fairgrieve.
29. Account, Mrs. Taylor, Lauder Road, to the said Thomas Fairgrieve, commencing 9th January and ending 2nd November. 1864, amounting to £1 15s. 6d., with receipt by the said Thomas Fairgrieve annexed, dated 18th January, 1865.
30. Account, titled "The late Mrs. Taylor, Lauder Road, to the said Thomas Fairgrieve, commencing 18th January and ending 22 February 1865, amounting to 13/7, with receipt by the said Thomas Fairgrieve annexed, dated "March 27th /65."
31. Pass-book, containing account, titled "Dr. The Commercial Bank of Scotland in account with Mrs. Jane Taylor, 22 Minto Street, Cr.," commencing 27th March 1860 and ending 14th (or 24th) April 1865.
32. Slip or order for draft from the Commercial Bank of Scotland for the sum of £20 dated "Novr. 30th 1860," requested by "James Thomson for Jane Taylor."
33. Draft by the Commercial Bank of Scotland on their agent at Glasgow in favour of Edward Wm. Pritchard, Esq. for £20. dated "30th Novr. 1860," and endorsed "Edward William Pritchard."
34. Slip or order for draft from the Commercial Bank of Scotland for the sum of £20. dated "Dec. 17th 1860," requested by "James Thomson for Jane Taylor."
35. Draft by the Commercial Bank of Scotland on their agent at Glasgow in favour of Mr. Edward Wm. Pritchard for £20. dated "17th Decr. 1860," and endorsed "Edward William Pritchard."
36. Slip or order for draft from the Commercial Bank of Scotland for the sum of £15, dated "May 13th 1862," requested by "Jane Taylor."
37. Draft by the Commercial Bank of Scotland on their agent at Glasgow in favour of Mr. Edward William Pritchard for £15. dated "13th May 1862," and endorsed "Edward William Pritchard."
38. Slip or order for draft from the Commercial Bank of Scotland for the sum of £38, dated "13th May, 1863." requested by "Mrs. Jane Taylor."
39. Draft by the Commercial Bank of Scotland on their agent at Glasgow in favour of Edward Wm. Pritchard. Esq. for £38. dated "13th May 1863," and endorsed "Edward William Pritchard."

LIST OF WITNESSES

Lodged for Defence.

The whole Witnesses enumerated in List appended to the Indictment on pages 17 to 22 inclusive thereof.

1. James Galbraith, writer in Glasgow.
2. William Bell, stockbroker, Edinburgh.
3. James Foulner, junior, cork-cutter, residing in or near (80) Carrick Street, Glasgow.

4. John Jex Long, manufacturer of blacking at or near Whitevale, Glasgow.
5. Alexander M'Fadyen, junior, residing in or near (92) West Street, Glasgow.
6. Alexander M'Fadyen, senior, residing in or near (92) West Street, Glasgow.
7. Grace Clyde, residing at or near (21) Garscube Road, in or near Glasgow.
8. Ann Oliphant or Houston, residing in or near Sydney Court, Argyle Street, in or near Glasgow.
9. The said Robert Houston.
10. Woodrow, surgeon, now or lately residing at or near Strathbungo, near Glasgow.
11. William Thomson, residing in or near (26) Renfrew Lane, Glasgow.
12. Mrs. Connell, residing at or near Seabank, Helensburgh, in the parish of Row and shire of Dumbarton.
13. John B. Cowan, M.D., Glasgow, residing at or near Auchterloshan House, near Old Kilpatrick, and shire of Dumbarton.
14. Alexander T. M'Hattie, M.D., residing in or near Woodlands, in or near Glasgow.
15. Thomas Fairgrieve, druggist, Edinburgh.
16. George Livingston Rorie, clerk in the Commercial Bank of Scotland, and residing at Comely Bank, Edinburgh.
17. John Gibson, teller in the Commercial Bank of Scotland, and residing in London Street, Edinburgh.

DAVID BRAND,
Counsel for Panel.

EDINBURGH, 30*th June*, 1865.

The diet having been called "at the instance of Her Majesty's Advocate, for Her Majesty's interest, against Edward William Pritchard,"

Mr. WATSON, for the panel, moved for separation of the trial of the two charges. He did not found the motion on the ground of the incompetency of proceeding with the trial of the two charges together, but it was a matter of discretion for the Court. —[Hume, vol. ii., pp. 171-2; Mackenzie's Laws and Customs of Scotland in Matters Criminal, Tit. 19, sec. 7, *William Burke and Helen MacDougall*, 1828 (separate report); *Elizabeth Jeffray*, Glasgow, 30th April, 1838, Swinton, vol. ii., p. 113; *John Thomson*, Glasgow, 22nd December, 1857, Irvine, vol. ii., p. 747.]

The SOLICITOR-GENERAL, for the prosecution, answered—The two murders charged are inseparable parts of the same story, and ought to be tried together.

Mr. CLARK, for the panel, in reply—The danger to the prisoner is, that though there may not be independent evidence sufficient to prove either of the charges, yet, taking the two together, the jury may hold that there is enough to prove both.

The motion was refused.

The panel then pleaded "not guilty."

The following jury was then balloted for and empanelled:—

Robert Graham, dairyman, Broad Wynd, Leith.
George Sim, writer, 7 Cambridge Street, Edinburgh.
Thomas Legat, farmer, Pinkiemains.
Andrew Turnbull, grocer, High Street, Portobello.
John Blair, merchant, North Berwick.
James Charles, ironmonger, 18 Broughton Street, Edinburgh.
Thomas Inglis, grocer, 11 Lothian Street, Edinburgh.
David Norrie, shipowner, Baltic Street, Leith.
Thomas Stark, tobacconist, 81 West Port, Edinburgh.
John Brown, flesher, Penicuik.
Robert Frater, farmer, Law, Linlithgowshire.
Thomas Thomson, grocer, Elmfield Place, Dalkeith.
John Mathieson, cabinetmaker, 7 Vennel, Edinburgh.
William M'Cartney, sea-gravel merchant, New Street, Fisherrow.
William Young, blacksmith, Raw Smithy, Kirknewton.

The trial then proceeded.

Evidence for the Prosecution.

Sir A. Alison 1. Sir Archibald Alison, examined by Mr. Gifford—I am Sheriff of the county of Lanark. (Shown declarations dated 22nd March and 21st April, 1865.) These declarations were emitted by the prisoner at the bar in my presence, freely and voluntarily, in his sound and sober senses, after receiving the usual warning.

Peter Morton 2. Peter Morton, examined by Mr. Gifford—I am a clerk in the Sheriff-clerk's office, Glasgow. (Shown declaration dated 22nd March, 1865.) That was emitted by the prisoner at the bar in my presence, freely and voluntarily, in his sound and sober senses, after receiving the usual warning.

Robert Wilson 3. Robert Wilson, examined by Mr. Gifford—I am a clerk in the Sheriff-clerk's office, Glasgow. (Shown declaration dated 21st April, 1865.) This was emitted by the prisoner in my presence, freely and voluntarily, in his sound and sober senses, after receiving the usual warning.

At this stage the Solicitor-General moved that the medical and other scientific witnesses for the Crown should be allowed to be present in Court to hear the evidence, to which motion Mr. Clark, for the panel, assented, provided that the medical witnesses for both parties should be allowed to be present, and that they should be excluded from Court while any evidence of medical or scientific opinion was being given.

The Court granted the motion, with the qualification proposed by the prisoner's counsel.

C. Lattimer 4. Catherine Graham or Lattimer, examined by the Solicitor-General—I am a widow. I was for ten years in the service of Dr. Pritchard, the prisoner. I left his service on the 16th of February last. I was cook. I left Dr. Pritchard's house in October last to visit my brother, who was ill, at Carlisle. He was dead when I arrived. I was away about a

fortnight. Mrs. Pritchard was living in the house when I left. C. Lattimer
She was then quite well. She had not been complaining at that time, so far as I knew. They were living in Clarence Place, one of the divisions of Sauchiehall Street. When I returned to Glasgow Mrs. Pritchard was not very well. She was complaining of cold. The house consisted of four floors, one of them a sunk floor. On the sunk floor there were two bedrooms, kitchen, larder, and cellar. Mary M'Leod was the only other servant. She and I slept together on the sunk flat. On the dining-room floor there were consulting-room, dining-room, and pantry; the dining-room was to the front, and the consulting-room and pantry to the back. The drawing-room floor consisted of drawing-room, ante-drawing-room, and two bedrooms. One of these bedrooms was called the spare bedroom. One of the children slept in the other bedroom sometimes, and latterly it was occupied by Mr. King, who boarded with Dr. Pritchard. He came in October, and after he came he had that room. The floor above consisted of two good bedrooms, a nursery, and another small bedroom. Dr. Pritchard and his wife slept in one of the bedrooms, one of the children slept in another, and two of the children in the nursery. Thomas Connell, another boarder, slept in the small bedroom. The youngest child, a girl of five, slept in the room with Dr. Pritchard and his wife, in a separate bed. There are five children altogether; the eldest eleven years old. Only four of them lived in the house. The eldest, Jane Frances, lived with her grandmother at Lauder Road, Edinburgh. At the time of my visit to Carlisle the household consisted of Dr. Pritchard, his wife, four children, two boarders, Mary M'Leod, and myself. When I returned, Mrs. Pritchard was ailing, and said she had caught a cold. She was not confined to bed then, but was laid up two days after. She was confined to bed for four or five days. She was sick sometimes, but I did not see it. Mrs. Pritchard herself told me that she was sick. She said she was very often sick; she made no further remark. I mean that she had attacks of vomiting.

Mr. Clark—Was that what Mrs. Pritchard told you, or Mary M'Leod?—They both told me.

The Solicitor-General—Did any medical man attend her at this time?—No, not that I know of.

After four or five days being confined to bed, did you see that she got better?—A little better; not much.

Do you remember her leaving to go to Edinburgh to visit her mother?—Yes; I think it would be about the end of November.

Did she appear to be quite well then?—No, not quite well.

Did she tell you of her sickness or vomiting before you went away?—It was near the time I left.

C. Lattimer Did she take any of the children with her?—I do not remember.

Do you recollect when she returned from Edinburgh?—It was a few days before Christmas.

Did anybody come with her?—Her mother (Mrs. Taylor) and Miss Pritchard, her eldest daughter.

How did she appear to be in health when she returned from Edinburgh?—A good deal better.

Do you know whether she had any sickness or vomiting immediately after her return from Edinburgh?—I think it would be a week or more after that.

Was her husband, the prisoner, living in the house with her at home, before she went to Edinburgh and also after she returned?—Yes; he remained at home while she was away.

After she returned from Edinburgh, did you see the sickness upon her yourself, or are you speaking merely of what she told you?—I heard her retching, but I did not see her vomiting. This began about a week after her return, as near as I can remember.

Was it a frequent thing with her, this vomiting?—No, just sometimes.

What did she say to you about it?—She complained of being sick so often, and could not tell the reason why.

The Lord Justice-Clerk—Was this after her return?—Yes.

The Solicitor-General—Did she tell you when it was she was sick, what time of day it was, whether before eating or after it?—It was sometimes after, and at times before eating.

Where was it that you heard her sick and retching?—It was once in the pantry after she had come out of the dining-room.

Was that very shortly after she came from Edinburgh?—It was about three weeks after.

Did you see her daily?—Yes, I generally saw her every day.

Did you see whether she was falling off in health or not?—I thought she was looking worse.

To the Lord Justice-Clerk—From the time I heard her retching in the pantry, I noticed the decline in her appearance.

The Solicitor-General—What kind of change was it?—She looked pale, and seemed to be losing her strength.

Did she often speak to you about being frequently sick and unable to account for it?—No, not often.

Was she so ill as to be confined to bed after her return from Edinburgh and before you left?—She was confined to bed before I left.

When did she take to her bed, after her return from Edinburgh, I mean?—It would be about three weeks, or a little more.

To the Lord Justice-Clerk—That was just about the time I heard her retching in the pantry.

The Solicitor-General—Do you think you can recollect the day?—I cannot.

On what day were you to have left her service?—I was to have left on the 2nd February, Candlemas day; but Mrs. Pritchard was very ill that night, which made me stay a little longer till they got another servant.

That is the reason you remained on till the 16th?—Yes, on account of her illness and the other servant not having come.

Then you remember that she had been very ill upon the night before you were to have left?—Yes, I should have left next day, and would have left had it not been for that.

Tell us what was the first thing you saw wrong with her on the 1st February?—It was sickness and cramp.

At what time of the day did it come on?—In the evening after dinner; about six o'clock.

When had she dinner?—Between three and four o'clock.

Did the prisoner dine with her?—Yes, I think so.

Was that the day you heard her sick in the pantry?—Yes; that was the only day I heard her sick in the pantry.

Then we have got the date of the occurrence now; the day before you were to have left, viz., the 1st of February?—Yes.

Where did she come from to go to the pantry?—From the dining-room.

Was the doctor in the house at the time?—I cannot say.

Did you go to assist her?—I did. She rang the bell for me, and I went upstairs.

What bell?—Her bedroom bell. She had gone upstairs herself.

How long after you heard the sickness in the pantry was it that she rang the bell?—About half an hour or twenty minutes.

And how did you find her?—Very ill. She was in bed, with her clothes on.

Did she speak to you?—She said, "Catherine, I have lost my senses; I never was so bad as this before."

Did she complain of anything in particular?—No, sir; she took cramp directly after I went up.

Where did the cramp affect her?—In her hands and down her side.

To the Lord Justice-Clerk—It seemed to affect her speech a little.

The Solicitor-General—Did you observe the state of her hands?—The fingers were straight out and the thumb twisted underneath them. She seemed to have no power to put them straight.

How did she look?—Rather flushed.

Did she not ask for the doctor?—No. The doctor was not in the room.

Did you go to the consulting-room and call him up?—I went

C. Lattimer downstairs for him and called him up. I think he came from the consulting-room.

Did he go up with you to the bedroom?—Yes.

Did he give her anything?—Yes, I think it was a little spirits and water.

The first that he saw of this attack of illness was when he went into the bedroom with you?—Yes, so far as I know.

What did he say, or did he say anything at all?—Not that I remember.

What did he do?—He rubbed her hands with me.

Did you say anything about the cramp?—I said it was very strange.

Did he make any remark?—Not that I remember.

Did his wife say anything to him?—I did not hear her say anything particular. She seemed in great pain. It was cramp in the stomach.

The cramp was painful, and she felt pain in her stomach?—Yes.

Did she tell her husband that she had been insensible?—I cannot say whether she did or not; but she said so to me.

How long did you remain with her?—Till she was quite free from the cramp; about half an hour.

What o'clock would it be when you left her?—Perhaps about seven. I think her husband was with her when I left her.

When did you next see her?—I saw her that night again about nine or ten o'clock. She was easier then, and was much better.

Was she in bed?—Yes; she was taken down to the spare room. The doctor ordered a fire to be lighted there for her.

That is a bedroom off the drawing-room?—Yes.

Was she able to walk down?—No, the doctor carried her down.

Did you see her that night again?—Yes, later the same night. It was about eleven o'clock when I saw her last. She was better, but not well.

When did you see her next after that?—Next day, about eleven o'clock in the forenoon. She was in bed, but a good deal better. She did not complain of anything, neither of weakness nor sickness.

How long did she remain in bed?—Perhaps nearly a week—till her mother, Mrs. Taylor, came.

Did you see her every day?—Yes, just going to see how she was. Sometimes I took her something to eat.

Was she, to your knowledge, sick during that time, after she took to bed, before her mother came?—She told me herself that she had been very sick.

Was this every day, or not so often?—No; sometimes she would miss a day.

Did the other servant, Mary M'Leod, wait upon her as a rule?—Yes.

Who took her food into her before Mrs. Taylor came?—Mary M'Leod generally, and I cooked it.

Was it told you, as the cook in the house, that what she got did not lie on her stomach?—No.

Did you speak to Mrs. Pritchard herself about her sickness?—Yes, sometimes. I made the remark that it was strange that nothing would do her good. She said nothing seemed to stop it. She was generally sick after slops, she said, such as tea.

Did anybody except you cook her food at the time before her mother came?—No, sir.

Who made her tea?—It was generally given in the dining-room in a cup, and sometimes it was put into the teapot in the dining-room.

Who took it up to her room?—Mary M'Leod.

Did anybody else take it, or do you not know what became of it after it got into the dining-room?—I do not know anything about it after it got into the dining-room.

During the ten years you were in her service, before the time you have mentioned—after your return from Carlisle—was she ever sick?—Not that I know of. Her sickness began after I returned in October.

Was she able to go into the drawing-room occasionally before her mother came?—She was generally confined to bed, but went into the drawing-room sometimes; she did not lie all day.

Do you remember when Dr. Cowan came to see her?—About two or three days before her mother, Mrs. Taylor, came. He came one day and went away the next. He remained all night.

What time of the day did he go away, do you remember?—By a train some time in the evening.

Where was Mrs. Pritchard when he went away?—I think she was in the drawing-room.

The prisoner was at home?—Yes; so far as I know, he was never from home during the time I have been speaking to.

Did anything remarkable occur on the night of the day that Dr. Cowan left?—It was either that night or the next that Mrs. Pritchard had the first cramp.

Was she not cramped on the 1st February, the night before you were to have gone away?—Yes.

The Lord Justice-Clerk—How long before you went away did Mrs. Taylor come?—About a week; I went on the 16th.

Then Mrs. Taylor came about the 10th. How long before that would it be that Dr. Cowan came?—I cannot tell; but Dr. Cowan was gone when Mrs. Pritchard had the first severe cramp.

Was it the day he left?—I think it was the night after.

The Solicitor-General—Do you mean that it was that night

C. Lattimer or the night after that she told you she had been insensible?—It was the night after he left.

On the night that Dr. Cowan left, or the night after, when did you first hear any alarm about her being ill?—About six o'clock, when she was in the pantry.

Do you remember an alarm about midnight one night that she was taken ill with cramp?—Yes.

And that was the second time she had taken cramp?—Yes.

Was it after you had gone to bed?—No; I was not in bed.

Did you hear her calling out as if in pain?—Yes.

Where did the calls come from?—From the bedroom.

Which bedroom?—The top bedroom.

She had been taken back there?—Yes.

To the Lord Justice-Clerk—She was back again in her own bedroom at the time this second attack took place.

The Solicitor-General—How long had she been out of her own bedroom?—She might be out of that room about a fortnight or more.

To the Lord Justice-Clerk—I mean she had been in the spare bedroom about a fortnight. She went to the spare bedroom on the 1st February, and remained there for a fortnight; and it would be the 14th when she went back to her own bedroom. The second attack would be very shortly before I left.

The Solicitor-General—When you heard her cry out about midnight, was that not the night Dr. Cowan left?—Yes; I think that would be the night that Dr. Cowan left. I thought she had no cramp before Dr. Cowan came, but I think she had the first attack before he came.

To the Lord Justice-Clerk—I was confusing those two attacks together.

The Solicitor-General—You now remember it was the 1st of February, the day before you should have left, that she was taken ill about six o'clock in the afternoon, and rang for you, after she had gone up to her bedroom; and that it was after she had returned to her own bedroom upstairs, and you think on the night Dr. Cowan left, that she cried out with pain about midnight?—Yes.

When you heard the calls of pain from the bedroom, what did you do?—I went upstairs to see what was the matter. Mrs. Pritchard was in bed, seemingly in great pain. The doctor was with her.

To the Lord Justice-Clerk—I mean the prisoner.

The Solicitor-General—And his wife, Mrs. Pritchard, was in bed? What state did she seem to be in?—She seemed to be under the influence of chloroform. She said she had taken chloroform.

To the Lord Justice-Clerk—She was not insensible. She told me she had taken it.

Evidence for Prosecution.

The Solicitor-General—Was she much excited?—Very much. In what state was the prisoner himself?—Quite calm. He did not say anything. He stood by Mrs. Pritchard and tried to soothe her.

What more did she say to you?—She said she would like to see another doctor. She said, "I want to see Dr. Gairdner; fetch Dr. Gairdner." That was in the presence of her husband. Mary M'Leod entered the room just after that, and she sent Mary off for the doctor.

What state were her hands in?—They were all drawn together with cramp.

Was she calling for another doctor before Mary M'Leod came into the room?—I did not hear what she said before. Mary M'Leod came straight in after me. I rubbed her hands till the cramp left them.

Did Mary M'Leod bring Dr. Gairdner?—Yes; he came immediately.

Did you hear Mrs. Pritchard tell him what was the matter?—She told him she had taken some chloroform, and she did not blame the doctor—that she never liked chloroform.

Did she say who had given it to her?—No; she said, "I do not blame the doctor." She meant Dr. Pritchard. She did not tell me that he had given her the chloroform.

Did she complain of having been sick that night?—No, she did not complain at that time.

At any time that night did you see the mark of vomiting?—No; not that night.

Had she any champagne or other wine that day that you know of?—No.

Was she in the habit of taking wine or spirits of any kind?—No; she was very temperate.

Did you, during the whole time of your service, ever see her the least under the influence of drink?—Never; she had no vice of that sort.

When did she take her last meal, the night when you heard her cry about midnight?—I cannot tell anything she had except a cup of tea that night. That was the last thing she had, as far as I know.

Did you remain with her all night?—Yes.

Did the prisoner remain also?—No; he went into the spare bedroom.

In what state was Mrs. Pritchard during the night?—Very quiet and calm. She slept a little.

Did she complain of thirst?—Yes; her thirst was not very remarkable.

Did you give her anything?—Just water.

Did her thirst continue next day?—I think it did. I was in the room two or three times.

C. Lattimer Were you there sufficiently long to see that she required drink?—Yes; I gave her water and a little ice in it.

Did she seem to be very weak during the night and next day?—Yes, very.

The following day did Dr. Gairdner call to see her again?—Yes; but I was not present when he saw her.

Then it was after Dr. Gairdner's second visit that Mrs. Taylor came?—Yes.

Now, I want you to recollect carefully the occurrences of that night. When you went up to the bedroom and heard her cry out with pain about midnight, tell us whether you did not hear her say anything besides what you have already said. Did you hear her saying anything to her husband?—She said they were all hypocrites together. She meant the doctors. She was under the influence of chloroform and very excited.

The Lord Justice-Clerk—Was that when she was calling for Dr. Gairdner?—It was when Dr. Gairdner was there.

The Solicitor-General—Tell us as exactly as you can the very words?—She bid the doctor not cry, and said, "If you cry, you are a hypocrite."

That was her husband?—Yes.

Was he shedding tears?—I did not notice it. She said, "You are all hypocrites."

Did she add that?—Yes, when Dr. Gairdner and Dr. Pritchard were standing by the fire.

You did not see Dr. Pritchard weeping, or pretending to weep?—No; he stood over Mrs. Pritchard at the bedside, but I can't say I saw him weeping.

Did you think he was?—Well, I thought by what Mrs. Pritchard said that he was weeping when he was standing over her at the bedside.

Then, was it when he was standing over her at the bedside that she said, "Don't cry"?—Yes.

To the best of your recollection, did she say, "Don't cry, you hypocrite," or "Don't cry, for if you do you are a hypocrite"?—Yes, these were the words; she said, "If you cry you are a hypocrite."

[At this stage of the examination Dr. Gairdner, who had been sitting with the other medical witnesses, was requested to leave the Court.]

The Lord Justice-Clerk—Then I understand the words were, "Don't cry; if you do, you are a hypocrite"?—Yes.

Was it at the same time that she said, "You are all hypocrites"?—Not at the same moment, but it was the same night; two or three minutes afterwards.

What were the words she used?—"You are all hypocrites together."

Did she use the word "doctors"?—No; just "You are all hypocrites together."

That might have included you as well as the doctors?—I do not know. C. Lattimer

The Solicitor-General—When she said to her husband, "Don't cry," did she say it was he that did it?—No.

You heard nothing like that?—Nothing like that.

Were you constantly in the room?—All that night.

Before Dr. Gairdner came, when she said she wanted another doctor, and named him, did she say anything about hypocrites?—No; it was when Dr. Gairdner was there that she said that.

A day or two after this, Mrs. Taylor came?—Yes.

Was Mrs. Pritchard in bed then?—Yes, I think she was. From the time I heard her cry at midnight till her mother came she was confined to bed.

And after her mother came till you left she was generally confined to bed?—Yes; she got up till her bed was made, and then she went to bed again.

Was there any other serious attack of illness after her mother came?—Yes, she had cramp—perhaps two or three days after.

When did it begin?—It was in the afternoon or evening, but I saw her at the time.

When had she dinner?—She would have something about one o'clock.

Did she seem to be in the same state as she was on the occasion when you went up at midnight?—Not so bad.

Was the cramp the same?—Yes, it was in her hands, but not so bad. She complained of pain in the same way, and seemed to be suffering.

Had you heard of this attack before you went up and saw her?—Yes; I think it was that that took me up.

Was she recovering when you saw her?—Yes, she was recovering, and said to her mother, "I am not nearly so bad this time as I was last."

Where was the prisoner when she was attacked this time?—I don't remember whether he was there or not.

Do you remember what day of the week this was on?—No, I cannot, but it was a few days after her mother came.

Had she any other attack after this before you left?—No.

You left on the 16th—after your successor, Mary Patterson, came—leaving Mrs. Pritchard in bed?—Yes.

Did you come back to the house after that?—Yes, several times.

When did you call first?—It would be a week after I left.

To the Lord Justice-Clerk—I did not go to another situation; I stayed in Glasgow with a friend.

The Solicitor-General—Do you remember the day that Mrs. Taylor was taken ill immediately before her death?—I saw Mrs. Taylor on Friday morning, and I think she died that night or

C. Lattimer towards Sunday morning. I did not know of her death till the Monday. I had not been in the house.

On the Friday—the last day of Mrs. Taylor's life—you called at Dr. Pritchard's house and saw her?—Yes.

What time of day was it?—It would be about eleven o'clock in the forenoon.

Did you see Mrs. Taylor first?—I saw Mrs. Taylor during the time I was in the house. I went to take Mrs. Pritchard's youngest child out a walk.

What passed between you and Mrs. Taylor?—I asked how Mrs. Pritchard was, and she said, "Well, Catherine, I don't understand her illness; she is one day better and two worse." That was all. That was the last word I had with Mrs. Taylor.

Did she say what was wrong with her?—No, she did not. She did not mention the sickness.

Did you see Mrs. Pritchard herself that Friday?—Yes, I saw her. I was in Mrs. Pritchard's bedroom when I asked Mrs. Taylor that question, and when Mrs. Taylor told me that she was better and worse.

How did Mrs. Taylor herself look at that time?—She looked wearied, and not so well, I thought; but she did not complain of anything.

She was up and dressed?—Yes, and going about.

Before you left, Mrs. Taylor slept with her daughter on the top floor, I believe?—Yes, always while she was there.

The Lord Justice-Clerk—In the same room?—Yes.

The Solicitor-General—And acted as her nurse and attendant, as a mother might be expected to do?—Yes.

The Lord Justice-Clerk—The prisoner did not sleep with his wife at that time?—No; he slept downstairs.

The Solicitor-General—After Mrs. Taylor came, did you continue to make all her food, or did Mrs. Taylor make some of it herself?—Mrs. Taylor made some of it herself.

It was not your duty to attend upon her at her meals, and to take up her dinner or tea, and you cannot speak about that?—No; I took her up very little. Sometimes I took her up a potato, which she liked, and said it stayed best with her, and sometimes a poached egg.

But anything prepared in the kitchen was cooked either by you or by Mrs. Taylor after she came?—Yes.

When did you call again after this Friday?—On Monday morning.

That is, the Monday after Mrs. Taylor died?—Yes; that was when I first heard of her death.

Who did you see that day?—Dr. Pritchard was in the lobby when I went in.

Did he say anything to you, or you to him?—He said they had a sad house to-day. The two servants were standing in

the pantry, and I went past him to them. I asked what was the matter, and they said Mrs. Taylor was dead and taken to Edinburgh. C. Lattimer

Did you see Mrs. Pritchard?—Not that day.

When did you next see her?—I think it was the next day—Tuesday. She was just coming out of her bedroom into the drawing-room.

Did you go into the drawing-room with her?—Yes.

How was she?—She was very poorly, and in grief about her mother.

Was she very emaciated?—Yes, very thin and weak.

Did she tell you anything about her health at this time?—No, she did not.

Do you remember preparing some tapioca for Mrs. Taylor and Mrs. Pritchard?—Yes, well. It was a few days after Mrs. Taylor came to the house.

Do you remember the day of the week?—I scarcely can.

Didn't you forget to get it on the Saturday?—Mary M'Leod went to order it for anything that I know. I did not see who brought it.

Is there anything that brings to your recollection that it was a Monday?—I cannot bring that to my recollection, but it was shortly after Mrs. Taylor came.

Who ordered you to prepare it?—Mary M'Leod told me that Mrs. Pritchard would like a little tapioca.

She brought the message to you to prepare it?—Yes.

Where did you get the tapioca?—It was bought from Burton & Henderson, the grocers.

Who gave it to you?—I cannot positively say. It was brought down into the kitchen. I think very likely Mary M'Leod would bring it to me.

What was it in?—In a paper bag.

Had the bag been opened apparently when it was brought to you?—I did not notice whether it had been or not.

You made some tapioca?—Yes.

Did you take it to the ladies, or send it up?—There was about half a breakfast cupful made, and Mary M'Leod took it up to the dining-room to Mrs. Taylor. She said she was not to take it to Mrs. Pritchard herself, but that Mrs. Taylor would take it to her.

Do you know how long it stood after it was made, before it was taken up?—It stood about half an hour or twenty minutes in the dining-room.

Mr. Clark—How do you know?—Mary M'Leod told me that it was there.

The Solicitor-General—Did you see it there yourself?—No; I cannot say I did.

C. Lattimer Then you know nothing about it except what Mary M'Leod told you?—Nothing.

Did you speak to the ladies about the tapioca afterwards?—I asked Mrs. Pritchard how she liked the tapioca, and she said, "It was not very good, Catherine; it was rather tasteless"; and I think Mrs. Taylor made an observation of the same kind.

Did you yourself not say that it would not be very nice?—I said it was rather thin, being the first that I had made, and that if I had known it would stand so long I would have made some fresh. I thought the standing had made it worse.

That was in consequence of what you had heard about its standing so long?—Yes.

Did you yourself put anything into the tapioca?—No.

What was in it besides water?—Nothing but the tapioca and the water.

Any salt?—I don't think there was salt or sugar in it. Mrs. Pritchard liked to put sugar in anything she got herself.

But you put no substance into it that could hurt anybody?—Nothing at all.

Did you put anything into any of the food which you cooked?—No.

What was done with the packet of tapioca after you had made some for the ladies on that occasion?—It was left in the press in the kitchen.

Did you find it there after the prisoner was apprehended?—When Mr. Gemmell, the procurator-fiscal, asked for it, I told him there would be some of it very likely in the house.

Did you see it there?—Yes, it was in that press.

Who was the officer who was present?—I think it was Murray, the sheriff-officer. [Shown No. 84.]

Is that the bag which was found in the press by Murray in your presence, and was taken possession of by him?—It may be, but I cannot swear to it.

The Lord Justice-Clerk—When was the bag found in the press?—It was after I was brought back from Edinburgh to Glasgow.

And that bag which has been shown to you is the same sort of bag, and about the same size?—Yes.

Cross-examined by Mr. Clark—Did the prisoner and his wife live happily together?—Yes.

Was he attentive to her in her illness?—Yes.

Do you remember seeing Mrs. Pritchard after Mrs. Taylor's death, and speaking about a nurse?—Yes.

When was that?—It was after I left her service. I asked Mrs. Pritchard if she would not like to have a nurse. She said, "No, Catherine; I do not like strangers."

Did she say anything more?—"It was my own fault," she

said, "that I have not got a nurse, for the doctor wished me to get one." C. Lattimer

The Lord Justice-Clerk—Meaning her husband?—Yes.

Mr. Clark—Are you satisfied that she had an attack of cramp before Dr. Cowan came?—I think so. The first attack was before Dr. Cowan came, and the second after he left.

When you heard Mrs. Pritchard call out at midnight upon the occasion you have spoken to, were you and Mary M'Leod both downstairs?—Yes.

Were you in the room before Mary came?—Yes; she came immediately after.

Then whenever Mary came in did Mrs. Pritchard tell her to go for the doctor?—Yes.

That was the first thing that you heard?—Yes.

Dr. Pritchard was in the room when you went up?—Yes.

She had said nothing that you heard until she told Mary M'Leod to go for Dr. Gairdner?—She did not say anything particular, but she seemed to be in great pain and under the influence of chloroform.

She said nothing that you heard about this time of hypocrites?—Not at that time.

Was Dr. Gairdner in the room at the time the word was used?—Yes.

And it was not used before he came?—No.

Who else was in the room besides Dr. Gairdner?—Dr. Pritchard, Mary M'Leod, and myself.

Were you in the room all the time Dr. Gairdner was there?—Yes.

Was Mary M'Leod in the room all the time Dr. Gairdner was there?—I think she was.

And you heard all that was said during that time, and saw all that was done?—Yes.

Mrs. Pritchard was very much excited during that time?—Yes.

When you got the tapioca, was it not Mary M'Leod that brought it to you?—I think so.

Have you any doubt about that?—It was brought downstairs into the kitchen.

And by Mary M'Leod?—Yes.

Did it appear to be unopened when you got it?—I did not notice it ever having been touched.

After you made the tapioca you put the bag away in the press yourself?—Yes.

When it was found in the press, did it appear to be in the same condition as when you put it there?—Yes.

You did not make any more tapioca from the bag?—No.

The Lord Justice-Clerk—There was just one making of tapioca?—Just one that I know of.

Mr. Clark—Dr. Pritchard kept medicine, I believe, in his

C. Lattimer house?—Yes; but I did not see much of it. I think there was chloroform in the house.

But did he not keep it in the consulting-room?—No; I did not notice any.

Was he not in the habit of dispensing medicine?—No; I think he generally gave prescriptions for his medicines.

Were there no bottles or other things of that sort in the consulting-room?—There were a good many bottles, but I did not know what they contained.

You know that things of that kind were kept in the consulting-room?—Yes.

Was the place in which they were kept open or locked?—Sometimes open and sometimes locked; it was not always locked.

Was Dr. Pritchard in the house at the time the tapioca was brought?—Not so far as I know.

Mary M'Leod 5. MARY M'LEOD, examined by the SOLICITOR-GENERAL—I am seventeen next October. I entered the service of Dr. Pritchard at Whitsunday, 1863. I was housemaid and nurse. I was under fifteen when I went. I remember Catherine, the cook, going to Carlisle to see her brother. Mrs. Pritchard had a little cold at that time, but was well otherwise. She went to Edinburgh about the end of November to her father's.

The SOLICITOR-GENERAL—Now, between the time that she first took ill, when Catherine was away, and her going to her father's, was her health generally good or bad?—She did not complain of anything in particular.

Was she sometimes sick before she went to Edinburgh?—Yes; not so often as she was after she returned, but still often.

You had charge of attending her bedroom?—Yes.

When was she generally sick—at what time of day?—Sometimes after dinner, and sometimes before dinner.

Before she went to Edinburgh, and some time before Catherine returned from Carlisle, was she confined to bed?—Yes; not very long.

When she was confined to bed, was she generally sick every day?—Sometimes; she was not sick every day.

Then all you can say is that she was very often sick, but that she sometimes got better before she went to Edinburgh?—Yes.

Was there any doctor attending her besides her husband before she went to Edinburgh?—No.

Did she get any medicine, so far as you know?—Yes.

What medicine?—I could not say what.

Did you procure it for her?—Yes; it was some white liquid in a doctor's bottle.

Was it clear like water, or white like milk?—White like milk.

What it was you don't know?—No.

Did she get anything else?—Yes; red powders.

Where were these got?—I ordered them. The doctor gave me a line to go for them. **Mary M'Leod**

To the Lord Justice-Clerk—The prisoner gave me a prescription to get them.

The Solicitor-General—And some of these powders were in the house after the prisoner was apprehended?—Yes; I told where they were to be found.

When did Mrs. Pritchard return from Edinburgh?—Shortly before Christmas; less than a week.

And her mother and her eldest daughter came with her and remained a short time?—Yes.

How long did they remain?—Some days.

After she returned from Edinburgh, had she any sickness?—Yes; some time after.

How was she when she came back?—She seemed to have a little cold. She was sick a few days after she came back.

What was the sickness you saw a few days after she returned from Edinburgh?—She was vomiting in the pantry.

That adjoins the dining-room?—Yes.

At what time of day was it?—It was at night.

To the Lord Justice-Clerk—About twelve o'clock at night.

The Solicitor-General—Did she leave the dining-room to go into the pantry?—Yes.

Had she been there alone?—Yes.

How long had she been alone from the time the rest of the family had gone away?—Not long.

Her mother was staying with her then?—Yes.

Had they gone to bed?—They had gone to their bedrooms.

And Dr. Pritchard, the prisoner, where was he?—Upstairs, in his bedroom.

Then was it just after the others had retired to rest that you heard her go into the pantry and become sick?—Yes.

Where were you at the time?—I was downstairs. I heard her retching, and went to her in the pantry.

And how did you find her?—She was very sick, and vomiting.

Did she say anything to you?—No; she did not speak. I gave her hot water.

Did you see any more of her that night?—No; I saw her next morning in her bedroom.

And how was she?—She was a little better.

Did she remain in her bed a part of the next day?—Yes; till between twelve and one o'clock. She got up then.

Before that she had been getting up to breakfast at the usual time?—Yes; about nine.

Did she seem unwell when you saw her next day—that day she remained in bed till twelve or one o'clock—did she look ill?—Yes.

Mary M'Leod Now, after this, did sickness come upon her frequently?—Yes; almost every day.

And when was she generally sick—what time of the day?—Between four and five o'clock.

The Lord Justice-Clerk—Was that after dinner?—Yes; the dinner hour was half-past three o'clock.

The Solicitor-General—Then she was commonly sick about an hour after dinner?—Yes.

Was she sick at any other time of the day, or was she only sick once a day?—Sometimes she was sick at other times.

To the Lord Justice-Clerk—She was sometimes sick in the forenoon.

The Solicitor-General—How long after breakfast?—About one o'clock.

And when did she commonly breakfast?—About nine o'clock.

Now, I am speaking of the time before she took to her bed, and was confined to bed. Was she sometimes sick during the night?—Yes.

How do you know that?—Sometimes she would tell me herself, and I had to remove her slops from the bedroom.

Did you see from these that she had been sick during the night?—Sometimes they would be emptied by the doctor.

How do you know that?—Mrs. Pritchard would tell me.

The Lord Justice-Clerk—How did she come to tell you that the doctor emptied the slops?—There was no one in the room to do it but him.

Then it was your own opinion that he did so, and Mrs. Pritchard never told you that the doctor had taken away what she had vomited?—No.

The Lord Justice-Clerk—Now, you must try and speak out; it was from your not speaking out that that mistake was very nearly arising, and it might have been a very serious one.

The Solicitor-General—Did she frequently complain to you of having been sick during the night?—Whenever she was sick during the night she remained in her bed for a time next day.

And upon these occasions she told you she had been sick during the night?—Yes.

What did she say about her sickness?—She said, "I wonder when this sickness is going to stop."

Was that a thing that she said once, or did she say so often?—Often.

Was she able to account for it by what she had eaten, or in any way?—No.

Now, when did she take to her bed permanently after returning from Edinburgh? Do you remember Dr. Gairdner coming?—Yes.

How long before that was it that she first took to her bed for a long time?—I do not remember.

Evidence for Prosecution.

The Lord Justice-Clerk—Had she been confined to bed for some time before Dr. Gairdner came?—Yes.

The Solicitor-General—How long had she been confined to bed? Was it a few days, or more?—A few days.

Do you remember her being taken ill when she was writing in the consulting-room?—Yes.

Tell us all that you know about that. How do you know that she was writing in the consulting-room, and how do you know she was ill?—I was in the consulting-room, and saw her writing there.

How long was that before Dr. Gairdner came—was it about the beginning of February?—I do not remember; but it was some time before Dr. Gairdner came.

Now, after you were in the consulting-room, and saw her there writing; what next did you see of her?—She came out to the pantry, and was vomiting there.

Were you in the consulting-room when she went into the pantry?—No; I saw her come out, and go to the pantry, and heard that she was sick.

What time would that be?—About three o'clock in the afternoon.

Was it after dinner?—No; it was before dinner.

How long was it before this that you had seen her writing?—Not very long.

She was very sick in the pantry; you heard that from the sound, or did you go in and see her?—I went in and saw her. She vomited.

Where did she go after leaving the pantry?—Upstairs to her bedroom.

Did you go with her?—Yes; it was on the top flat.

Was she weak, and did she need help upstairs?—Yes.

Did you take anything up to her?—Yes; hot water for her feet.

Where was the prisoner at the time?—I think he was out when she was vomiting in the pantry.

Did you see him after she had gone upstairs to her bedroom?—Yes; when I came downstairs.

Had Catherine not gone up?—No.

The Lord Justice-Clerk—How long after she had taken ill was it that you saw the prisoner downstairs?—Almost directly.

I suppose he came in just in time for dinner?—Yes.

The Solicitor-General—The dinner was at half-past three?—Yes.

Did he go up then to his wife's room?—No; after he had his dinner I think he went up.

The Lord Justice-Clerk—Did you tell him she had been taken ill?—Yes.

Mary M'Leod

The Solicitor-General—Before dinner?—Yes; if he went up before dinner I don't recollect.

You mean that he may have gone without your recollecting?—Yes.

But you do recollect his going up after dinner?—Yes.

Was Mrs. Pritchard put to bed?—Yes.

Were her clothes taken off?—No.

What seemed to be the matter with her when she had got into bed, anything but the weakness after such sickness as she had in the pantry?—No; she did not complain of anything to me except cold. She said her feet and hands were cold.

Was anything else the matter with her feet and hands except that they were cold?—No.

Did she say anything about that attack to you, or give you any account of it?—No.

Did she say anything at all?—No; not that I remember.

Did you see anything of her during the night?—Yes; the bell was rung by her about seven o'clock at night, and Catherine went up.

Did you not go up?—She went up for me. I was out at the time. As I was coming in, Catherine was coming downstairs.

Did you go up then to your mistress's room?—Catherine came down and wanted the doctor to come up; and both the doctor and Catherine went up.

Did you go up with the doctor?—No; I went downstairs to make some tea. They wanted me to light the fire in the spare room, and to bring Mrs. Pritchard down there.

You did light it?—Yes.

Who told you to do that?—Either the doctor or Catherine.

Did you see her brought down?—Yes; she was brought down in the doctor's arms. He carried her.

Was she confined to bed after this for some time?—Yes; a few days.

Did you see her during these few days?—Yes.

Was she attacked with sickness?—Yes.

When she was in the spare room after she had been carried down by her husband, in attending to the room as housemaid, did you see what she had vomited?—Yes.

And did you speak to her about her sickness, or did she speak to you?—Sometimes I would be in the room when she was vomiting.

Was the vomiting severe when you saw it?—Sometimes it was worse than others.

From what you saw of her, can you tell us when that usually happened, was it generally after she had had something to eat, or before?—After she had something.

Who took her food to her when she was in the bedroom?—Sometimes it was taken by me and at other times by Catherine.

Was it ever taken up by anybody else?—Sometimes the doctor took up her breakfast to her, and sometimes he did not.

Did he sometimes take her tea up to her?—Yes.

The Lord Justice-Clerk—You have seen the doctor take up her breakfast, and her tea also?—Yes.

The Solicitor-General—Was it he commonly who took up her tea, or was it you or Catherine?—It was taken by the three of us. It was sometimes the one and sometimes the other.

The Lord Justice-Clerk—Either you or he or Catherine took up all that was got in the way of food?—Yes.

The Solicitor-General—Did Catherine take food to her often, or very seldom?—When Catherine was there she took it up very often.

As often as you?—I don't recollect.

You remember that occasion, before Dr. Gairdner was called in, about the attack of illness which she had?—Yes.

When did you first hear of it?—My first intimation of it was by Catherine going upstairs.

Did you hear Mrs. Pritchard cry out with pain?—Yes.

About what time of night?—About twelve o'clock or past twelve.

The Lord Justice-Clerk—You and Catherine went up?—Yes.

The Solicitor-General—Which of you were in the room first?—Catherine

Were you close together?—Yes.

How did you find Mrs. Pritchard?—She was undressed, and in bed.

The Lord Justice-Clerk—What did you see remarkable about her?—She had been seized with cramp.

The Solicitor-General—Did she seem to be in pain?—Yes.

Was she excited?—Yes.

Did she complain of pain in any particular place?—Not to me.

Or in your hearing?—No; just of pain generally.

Was her husband there?—Yes; he was attending to her.

But what was he doing to show his attention—was he rubbing her hands or doing anything else to relieve her?—Catherine and he were putting hot and cold water on her hands.

Was he excited, or quite cool and calm?—He was excited—he was sorry that Mrs. Pritchard was ill.

How did he show his sorrow—was he crying?—Yes.

Did she say anything to him?—I did not hear her say anything to him; I was sent away for Dr. Gairdner.

Before you went away for the doctor, did you hear her say anything to her husband when he was crying?—I heard her saying something to him after I returned.

Mary M'Leod Not before you went away?—Not that I recollect.

Before you went away for Dr. Gairdner, what did she say about a doctor?—Whenever I went into the room, she said, "Go away for another doctor directly, Mary."

Did she say anything else?—She said, "Be sure to go; I want another doctor."

Was Dr. Pritchard crying at this time?—It was after I returned that he was crying.

Are you sure he was not crying before you went away?—I am not sure.

The Lord Justice-Clerk—You are not sure whether it was before or after?—I am not sure. I saw him crying after I returned; but I am not sure if he did so before.

The Solicitor-General—Are you really sure that he was not crying before you went away for the doctor?—I am not sure whether he was crying before or not; but I am certain that he was crying after I returned.

Now, what was it she said to him after you returned?—She asked him not to cry. She said, "Don't cry, you hypocrite; if you cry, it was you that did it." As far as I can remember, these were the words.

Was Dr. Gairdner present when she said this, or was it before he came?—I think he was in the room, but I don't remember very well.

Now, I do not want to press you about anything, but I wish you to remember as exactly as you can. Was what you have told us now not said before you went for the doctor, when Mrs. Pritchard was crying out that she wanted another doctor, and telling you to go?—I think it was after.

Did she only say that once?—I do not think I heard her more than once.

Now, after this did Mrs. Pritchard become very unwell till her mother came?—Her mother came in a day or two afterwards.

Did her sickness continue till that time?—Yes.

And anything else excepting sickness—cramp?—I do not think she was attacked with cramp between that night and the time that Mrs. Taylor came.

After Mrs. Taylor came, how was Mrs. Pritchard—was she confined to bed chiefly?—Yes.

And were you frequently with her when Mrs. Taylor was there?—Mrs. Taylor slept with her and attended upon her.

But did not you continue as housemaid to wait upon the room, and you saw Mrs. Pritchard, I suppose, every day?—Yes, several times.

Did you speak to her about the state of her health every day?—I always asked her if she was better. Sometimes she

said she was much the same, sometimes that she was a little better, and at other times she was worse.

Was she sick every day during the time her mother was with her?—She was not sick every day.

Was she sick most days?—She was sick almost every day.

But these days when she was sick, was she sick only once a day, or generally more than once?—I cannot tell.

Did she complain of great thirst?—Yes.

Anything else?—Of great heat in her head and pain in her stomach.

Was Dr. Pritchard in the house all the while that Mrs. Taylor was there?—He was not in the house all day; but was living at home.

And took his meals at home?—Yes.

When had he dinner generally at that time?—At half-past three.

When had Mrs. Pritchard her dinner usually when her mother was with her?—Between one and two generally.

Was Dr. Pritchard sometimes with her when she took her dinner?—He was sometimes in the room with her when she dined.

Often?—He would not be every day.

That is not an answer to the question. Was he commonly there when she had her dinner?—Not so often as not.

Who made her tea?—Sometimes I did, and sometimes the cook.

Who poured it out for her?—It was poured out for her in the dining-room.

By whom?—By the doctor, or by whoever was at the table.

Did you see it done?—Yes.

Who else was at the table except the doctor?—Her mother.

It was sometimes poured out by the doctor, and sometimes by Mrs. Taylor?—Yes.

Who prepared her bread and put the butter upon it?—Mrs. Taylor, when she was there.

And who else when she was not there?—It was done by herself.

What I mean is, did Dr. Pritchard ever put the butter upon her bread?—Yes.

Mr. Clark—Have you seen this?—Yes.

The Solicitor-General—After Mrs. Taylor's death—on 25th February—who was in the habit of taking Mrs. Pritchard's meals to her?—Her breakfast and tea were generally taken up to her by the doctor or one of the children.

That is, he either took them up himself from the dining-room, or sent one of the children with them?—Yes, or me.

By whom was her dinner taken up after Mrs. Taylor's death?—Generally by me.

Mary M'Leod The LORD JUSTICE-CLERK—With regard to the dinner, did you take it straight from the kitchen?—Yes.

The SOLICITOR-GENERAL—What did her dinner consist of?—Chicken or fish; that was what she generally liked.

Before Mrs. Taylor's death, did she send you to a druggist's to buy a bottle of Battley's Solution?—Mrs. Taylor sent me.

How long before her death?—The Monday before.

Where did you buy it?—At Murdoch Brothers.

Did she give you a bottle to get filled, or did you buy it there?—She gave me a bottle to get filled.

Is that the sort of bottle [shown No. 85]?—Yes.

Is that the same bottle you took?—I could not say; but it is something like it.

How much did you pay for it?—8s. 4d.

Did you give it to Mrs. Taylor with the mixture in it?—Yes.

Did you see the bottle, or one like it, after Mrs. Taylor's death?—Yes; in the bedroom.

Did you find it in her pocket?—No.

Was Mrs. Taylor in good health herself from the time she came till the day before she died, or did you see anything the matter with her?—She had a cold when she came.

When did she begin to complain about anything else?—She never complained of anything else till the day before she died.

What did she complain of to you the day before she died?—She wanted to be sick.

What time of day?—About five o'clock she said to me she was not well.

That is Friday, the 24th?—Yes.

The LORD JUSTICE-CLERK—In the morning?—No; the afternoon.

She was unwell, and wanted to be sick?—She said she wanted to be sick, and could not vomit.

The SOLICITOR-GENERAL—Was that long after five o'clock?—It was between six and seven.

Did she say what she thought was the matter with her?—She said she thought it was from being confined too much in the same room; she thought she had got the same complaint as her daughter, Mrs. Pritchard.

Well, what did she do then?—She came downstairs from her daughter's bedroom.

Was it in Mrs. Pritchard's bedroom where she said she wanted to be sick, and that she thought she had the same complaint as her daughter?—Yes.

Where did she go after she came downstairs?—I think she went into the dining-room or drawing-room.

Did she not go to the consulting-room and write letters?—Not at that time.

When was that?—After tea.

Where had she tea?—In the dining-room, with the rest of the family.

The Lord Justice-Clerk—Was the prisoner there?—Yes.

And the children?—Yes; I did not see her taking tea, but she was in the dining-room when the tea was on the table.

The Solicitor-General—What time was that?—About seven or past seven.

When did she leave the dining-room?—I came downstairs and left her there.

You said she was in the consulting-room later at night; did you see here there?—I went downstairs, and she came to the stair-head and called me, and sent me out for sausages for her supper.

And you went and got them?—Yes.

And when you came back you found her writing in the consulting-room?—I knew that she was there.

The Lord Justice-Clerk—How did you know it?—Because she was not in the dining-room.

The Solicitor-General—Did you not see her there?—No.

Did you not see her again that night?—Yes; she met me going upstairs to the drawing-room.

And she must have come out of the consulting-room, for she was not in the dining-room?—Yes; I had come up from the kitchen.

What did she say to you?—Nothing.

What o'clock would it be?—About nine o'clock.

Where did she go at this time when you met her on the stair?—I think she went up to her daughter's bedroom, where she slept.

When did you next see or hear of her?—Up in the bedroom.

Were you sent for when the bell was rung, soon after she went up?—Yes; not very long.

But was it two or three minutes, or an hour or so?—It was more than two or three minutes.

The Lord Justice-Clerk—Was it about half an hour or a quarter of an hour?—About half an hour—I don't think quite as much.

The Solicitor-General—You answered the bell?—Yes.

What was she doing—was she in bed when you went up?—She was sitting on a chair.

And she wanted hot water?—Yes; she said it was to make her vomit.

Did you go for the water?—Yes.

Where was Mrs. Pritchard at the time?—In her bed.

Did Mrs. Taylor take the hot water when you took it up to her?—Yes.

Did Mrs. Pritchard give you any message when you went up for the water?—She desired me to go for the doctor.

Mary M'Leod Did you go for the prisoner?—Yes.

Where did you find him?—He was engaged in the consulting-room.

Do you mean there was a patient with him?—Yes.

Did he come to Mrs. Pritchard's bedroom, where his mother-in-law was?—Yes; but not then.

How long after?—Very soon after; within a few minutes.

After the person who was with him went away?—Yes.

Did you go with him yourself, or did you go up before him?—The bell was rung again before the doctor went.

And did you go up?—Yes; Mrs. Taylor was in the bedroom.

Was she as well as she had been, or worse?—She appeared to me much the same; she was not any better at any rate.

But was she not worse?—She was worse when I went up the third time.

What was wanted the second time the bell rang?—More hot water; I took it up.

Did she take it?—Yes.

Did she try to vomit both times that she took the water?—Yes; she did not vomit, but threw up a little water.

Did the bell ring the third time?—Yes.

Was that before the doctor had gone up?—The doctor was up by that time.

How did you find Mrs. Taylor then?—She was sitting on a chair.

What state was she in?—Insensible.

The Lord Justice-Clerk—Was she still in the chair?—Yes.

The Solicitor-General—Was her head hanging down on her breast?—Yes; I think her eyes were shut.

Was Mrs. Pritchard still in bed?—She had got up beside her mother. The prisoner was in the room.

What was done?—She was put to bed, without taking her clothes off.

Who lifted her?—The doctor and I.

Was Mrs. Pritchard herself sick that evening?—Yes; I saw her.

Was that when her mother was in the bedroom, or before she had gone up?—Before Mrs. Taylor had gone up.

Was it after she had had her tea?—I don't know if she had any tea that night or not.

The Lord Justice-Clerk—Did what she vomit appear to you to be tea?—I forget what it was like.

Was it after tea-time when Mrs. Pritchard became sick?—Yes.

The Solicitor-General—After Mrs. Taylor was lifted into bed how long did she live?—Till about twelve or half-past twelve; I think a little past twelve.

Was anybody sent for?—Yes, Dr. Paterson.

Did he come?—Yes.

How long before she died?—I think it would be between ten and eleven when he was there.

Did Mrs. Taylor ever speak again, so far as you heard, after she was put to bed?—I don't think she did.

And she died where the prisoner and you laid her down in bed with her clothes on?—Yes.

When was Mrs. Taylor's body removed?—On Monday.

Mrs. Pritchard, you said, had been sick the evening before her mother died. How was she afterwards?—She was a little better on the Saturday and Sunday, but she was sick on Sunday afternoon.

Was she not vomiting on Saturday or Sunday?—She was vomiting on Sunday; on Saturday she did not vomit, that I remember.

Was Dr. Pritchard at home both on Saturday and Sunday?—Yes.

When did he go to Edinburgh?—On Monday.

After her mother's death, was Mrs. Pritchard brought down to the spare bedroom?—Yes; she was brought down when Mrs. Taylor died.

Was she able to walk down?—I did not see.

What time on the Sunday was it that she was sick?—In the afternoon—after dinner.

Where did she dine that day?—She dined in the drawing-room, past four o'clock.

Was anybody with her?—Two Miss Lairds were in the room with her, but they did not dine with her.

Was Dr. Pritchard there?—No.

Where was he?—In the dining-room.

Was the dinner sent from the dining-room to her?—Yes.

Who took it up?—I did.

What was it?—Roast beef and potatoes.

Who gave it to you to take up?—The doctor.

When did she become sick?—Some time in the afternoon.

How long after dinner?—It was shortly before tea.

On the Monday Dr. Pritchard went to Edinburgh?—Yes; I think so. I know he left the house along with Dr. Taylor to go to Edinburgh by the eleven o'clock train.

Had Mrs. Pritchard her breakfast before he went?—I don't remember. I think she had.

Was she ill after breakfast?—No; she got up almost directly, before Mrs. Taylor's body was taken away.

The Lord Justice-Clerk—Then she was not sick on the Monday morning?—No; I don't think she was.

The Solicitor-General—Did she go into the drawing-room after breakfast that Monday morning?—Yes.

Mary M'Leod Did she vomit in the drawing-room shortly after going in?—No; not that I remember.

She lived for about three weeks after this?—Yes.

Did she get better, or did she continue ill the whole time?—Much the same.

Was she chiefly confined to bed?—She generally got up about one o'clock, and remained up till ten, and sometimes later.

Do you mean she remained up till bed-time at night?—Yes; in the drawing-room.

Did you see a good deal of her every day?—Yes.

Was she commonly sick every day after her mother's death?—She was much the same.

Was she then sick two or three times a day?—No; generally only once; sometimes twice.

Can you tell me the times of day at which she was commonly sick?—Sometimes before and sometimes after breakfast.

Was it most commonly before breakfast, or after it?—After breakfast.

And at what other time?—In the afternoon—after dinner.

How long after dinner?—Fully an hour.

I don't think you mentioned how long after breakfast it was that she usually became sick?—Two hours.

Did you sometimes see her vomiting, and see what she did vomit?—Yes.

What was it commonly that she vomited when she vomited after breakfast?—She vomited her breakfast.

Did you think you saw tea in the stuff she vomited?—I never took any notice of it.

Do you remember getting anything from the doctor to give to her before supper one night?—Yes; a bit of cheese.

When was that?—I think it was the week before Mrs. Pritchard died; but I am not certain.

What was the bit of cheese like that he gave you?—It was not a very large piece.

Was it new cheese or old?—It was new; we had it in the house.

The Lord Justice-Clerk—But was it soft or hard?—It was soft.

The Solicitor-General—Did you take it to Mrs. Pritchard?—Yes.

Did you see her taste it?—Yes; she asked me to taste it.

Did she ever ask you to taste anything before?—I don't think she did.

And did you taste it?—Yes.

The Lord Justice-Clerk—How did it taste?—It tasted hot, like pepper.

The Solicitor-General—Was there anything peculiar about it except the hot taste?—No.

Did it make you very thirsty?—No.

Think again; did it make you thirsty after eating it? It is not a thing you could have forgotten?—No.

Did you never say so?—

Mr. Clark, for the panel, objected to the question.

The Solicitor-General, in answer to the Court, stated that the question was intended to comprehend what the witness had stated in precognition.

The objection was sustained to the question in its present form, as comprehending an inquiry into what the witness stated in precognition.

The Solicitor-General—Did the cheese produce any peculiar sensation in your throat?—Yes; a burning sensation.

How much of the cheese did you take?—A very small bit.

Had you ever felt the same sensation in your throat before?—No.

Did Mrs. Pritchard take the rest of the cheese?—No; it was left uneaten.

Soon after taking the cheese did you become thirsty?—Rather thirsty.

Do you remember getting some camomile tea from anybody to take to Mrs. Pritchard?—Yes; it was left in the bedroom by Dr. Pritchard to give to her.

Were you in the bedroom when he brought it in?—Yes.

What was it in?—A jug.

Did the doctor pour out any of it to his wife?—Yes; into a wine-glass.

Did he tell you what to do with it?—He said it was for Mrs. Pritchard.

Did you give it to Mrs. Pritchard?—Yes.

Was there any reason why he did not give it himself?—(No answer.)

The Lord Justice-Clerk—Was it to be given to her at the time or afterwards?—When she wanted a drink.

The Solicitor-General—You gave her some of it?—Yes.

Did she appear to be anything the worse of it?—She vomited it.

The Lord Justice-Clerk—Immediately after taking it?—Yes.

The Solicitor-General—When was this?—That was the week before she died.

The week before she died did you get some egg-flip to give her?—Yes; from Mary Patterson.

That is the girl who came to succeed Catherine as cook?—Yes.

About what time of day did she give it to you?—At night.

Where?—In the kitchen.

Did you get the egg-flip in the pantry in a tumbler?—Yes.

That was before the hot water was poured upon it?—Yes.

Mary M'Leod Who gave you the tumbler with the egg-flip in it?—Mary Patterson told me to get it in the pantry. I took it downstairs, and Mary put some water upon it there.

Did you see her taste it after she put the water on it?—Yes.

Did she say anything when she tasted it?—She said, "What a taste it has."

What time of the night was it?—Between eleven and twelve.

Did you take the flip up to Mrs. Pritchard?—Yes.

Was the doctor in the room when you took it up?—Yes.

Did Mrs. Pritchard get some of it?—Yes, she did.

The Lord Justice-Clerk—Did you taste it?—No.

The Solicitor-General—How much did Mrs. Pritchard take?—About a wine-glassful.

How long did you remain in the bedroom with Mrs. Pritchard the night that she had the egg-flip?—Till between three and four in the morning.

Did the prisoner remain in the bedroom too?—Yes.

Was Mrs. Pritchard sick that night?—Yes.

How long after she had taken the egg-flip was she sick?—Very soon after.

The Lord Justice-Clerk—Was it half an hour or an hour?—Less than half an hour.

The Solicitor-General—And at four in the morning, when you left the bedroom, you went down to Mary Patterson?—Yes.

How did you find her?—She was asleep.

In the morning after the egg-flip had been given to Mrs. Pritchard, did Mary Patterson tell you whether it had had any effect upon her?—

Mr. Clark, for the panel, objected to the question.

The witness having been removed—

The Lord Justice-Clerk—On what ground is the question objected to?

Mr. Clark—On the ground that it is hearsay evidence.

The Lord Justice-Clerk—There can be no doubt as to the competency of the evidence, referring, as it does, to what was going on in the house about the time of the occurrence.

Mr. Clark—I should have thought the proper witness to have spoken to that would have been Mary Patterson herself.

The Lord Justice-Clerk—Of course, she must be called.

Objection repelled, and question put.

Witness recalled, and examination resumed by the Solicitor-General—In the morning after the egg-flip had been given to Mrs. Pritchard, did Mary Patterson tell you if it had had any effect upon her?—Yes; I think she told me that she had been sick.

When did she say she became sick?—During the night.

Mary M'Leod.

Did she say how long after taking the egg-flip it was that she became sick?—She never mentioned the egg-flip at all. Mary M'Leod

Did she not tell you how long it was after taking the egg-flip that she became sick—did she tell you, or have you forgotten?—If she told me, I don't remember it.

Did she say that anything else had been wrong with her except that she had been sick—anything about her throat?—I don't think so.

Did she say that she had felt a burning sensation in her throat?—No.

And that she had vomited?—She said she was vomiting during the night.

And how did she account for it?—(No answer.)

Now, just remember, you must tell us the truth—you take an oath to do that. Did Mary Patterson speak about the egg-flip next morning?—No.

And when she told you she had been sick she never referred to the egg-flip?—No.

And did she not say she had a burning sensation in her throat?—Not that I remember.

Did she account for her sickness in any way?—No.

It was the morning after she had tasted the egg-flip that she told you she had been sick during the night?—Yes.

Did you, in the course of the week that Mrs. Pritchard died, on the Tuesday or the Wednesday, give her any port wine?—Yes.

From whom did you get it?—It was left in the bedroom in a bottle by the doctor.

How much did you give her?—A wineglassful at a time.

The Lord Justice-Clerk—Was it just one glass you gave her, or a glass at one time, and a glass at another?—I gave it her more than once.

The Solicitor-General—Do you mean more than once that same day, or on other days?—On other days.

Now, was she sick after getting it, or was she not?—She was not.

Do you mean that she was never sick after getting it?—I do not remember.

On Friday, the 17th, the day before she died, did you see her in the morning?—Yes.

How was she then?—I asked her if she was better, and she said she could not tell.

Was she in bed?—Yes, all that day.

Did her bell ring for you in the afternoon?—Yes, about five o'clock.

Did you go up?—Yes.

Did you meet her before you got to her bedroom?—Yes; she was on the stair-head, at the drawing-room landing.

Mary M'Leod Was she sleeping in the spare bedroom at that time?—Yes.

Was she dressed or undressed?—She had on her nightgown.

What did she say to you?—She pointed to the floor and said, "There is my poor mother dead again."

What more did she say?—She asked me to take her into the bedroom. I went downstairs and called Mary Patterson up, and we put her to bed.

Did she seem to be raving?—Yes.

When you got her into bed was she quiet?—No.

What did she say or do?—Mary Patterson and I began to rub her hands, and she asked us to rub her mother and never mind her.

Did her hands appear to be cramped?—Yes, and they were very cold.

Was her speech clear, or thick and broken?—Quite clear.

Did she become quiet or sensible while you remained there?—She became quiet.

Where was the prisoner at this time?—He was out.

Before her bell rung, she had been in the bedroom alone?—Yes.

Had she had anything to eat or drink shortly before she rang the bell that you knew of?—No.

When had she tea?—In the morning.

Had she not got tea that afternoon?—No.

When had she dinner?—Between one and two.

When did the prisoner come home?—Very soon after I had gone up to her.

Was he in the room with her while you were there?—He went into the room as I was coming out.

How long had you been with her?—Not very long.

Was any other doctor sent for?—Not at that time. Afterwards Dr. Paterson was sent for.

Were you present when Dr. Paterson was with her?—I was in the room when he came, but when he came I left the room.

Did you remain in the room during the rest of the night till the time she died?—Yes.

When did she die?—I could not tell the hour, but I think it would be about one o'clock.

Was the prisoner present at the time?—Yes.

Was he in bed with her when she died?—Yes.

Where were you?—I was lying on the sofa for some time, and then I was told to get mustard for her.

Was the prisoner undressed, or had he lain down in his clothes?—I think he had on his drawers, but I could not say.

When you were still lying on the sofa, did you hear her speak to him?—Yes.

What did she say?—"Edward, don't sleep; I feel very faint."

Evidence for Prosecution.

Was it after that he sent you to get mustard?—It was when I was told to get it. Mary M'Leod

Was it by the prisoner you were told to go and get mustard?—He asked me to go down and get it, and she said to be quick.

And you went down to get the poultice made?—Yes.

Did you bring it up, and it was applied to Mrs. Pritchard's stomach?—Yes.

Did she seem to be any better, or much the same, when you came back and the poultice was applied?—She was not any better.

Were you sent upon any other message?—I was sent for another mustard poultice.

Did you go for it and bring it up?—Yes.

What did you find when you came back to the room?—Mrs. Pritchard was in her bed. After I brought up the second mustard poultice, I went down and called for Mary Patterson; and when we came up we found that Mrs. Pritchard was dead.

How did Dr. Pritchard behave when you found that she was dead?—He said she was not dead.

Was he weeping?—Yes.

Did he say anything to her after seeing she was dead, addressing her as if she was alive?—He said, "Come back to your dear Edward."

Anything else?—Yes; he said a good deal.

You mean a good deal in the way of addressing her?—Yes.

Was Mary Patterson present?—Yes.

Did he say anything about bringing a rifle?—Yes. He asked somebody to bring a rifle and shoot him.

After her death, and this scene which you have described, did he leave the house?—Yes.

How long after?—I cannot say. He wrote a letter or two, and went out to the post.

Did you see him come in?—I heard him come in.

About what time of the morning would it be?—I could not say.

When he came in, did you hear him say anything?—I heard him say to Mary Patterson, "Mary Jane walked down the street with me, and told me to take care of the girls, but said nothing about the boys," and that she kissed him and went away.

Had Mrs. Pritchard, in her lifetime, ever seen the prisoner using any familiarities with you?—

Mr. Watson, for the panel, said he objected to this question, in the first place, that it was not sufficiently precise, and, in the second, as disclosing the intention of the prosecutor to follow up a line of examination for which he thought they had laid no foundation in the libel. The question now put was not limited in point of time.

Mary M'Leod

The SOLICITOR-GENERAL—It referred to last summer.

Mr. WATSON said, taking it as his learned friend had now put it, it was limited to the summer of the year 1864, several months before the earliest period which was mentioned in the libel. It had no connection whatever with anything contained in the libel. The question which their lordships had to determine was whether this matter, of which no notice had been given upon record, and of which it would have been exceedingly easy to give notice upon the record had it been intended to found upon it to any extent whatever, could be competently gone into now. He did not know the ground on which the Crown put their claim to go into this line of examination. Obviously it did not bear upon the crime which was set forth in the libel, or, if it bore at all, it could only be brought to bear as suggesting, or suggestive of, some kind of motive. Assuming that that was the correct view of the matter—and it was the only view which suggested itself to him—he had to submit that, in that view, this line of examination could not be gone into without any intimation having been given on the record. Mr. Watson then cited several cases in which the Court had overruled attempts to lead evidence to suggest a motive where no notice had been given of the intention of the Crown to do so, and where such notice could easily have been given. In the case of *Black* *—a case of fire-raising—an attempt was made to show that the prisoner had insured certain property shortly before, so as to suggest motive. The Court declined to allow that line of examination on the grounds he had stated. In the *Culsalmond Rioting Case*,† where a clergyman and others were accused of mobbing and rioting, an attempt was made to show a common purpose or motive on the part of the rioters which had not been set forth on the record, and that attempt was not allowed by the Court because notice had not been given to the prisoners. It was usual for the public prosecutor to give notice that such and such was the motive on which he would try to prove that a panel had acted, and he could guard himself quite securely by saying "for that purpose or some other purpose unknown." It put the Crown to no disadvantage to give notice, but it put the panel to great disadvantage to go without it. In the present case, it would put the prisoner to great hardship, because the matter attempted to be proved did not lie within the four corners of the libel.

The SOLICITOR-GENERAL—My friend must have been aware, from the investigation which has taken place, what the line of examination is. I am afraid I would very gladly abstain from it if I could convey to your lordships the information necessary

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* *Daniel Black*, High Court, 9th January, 1857, Irvine, vol. ii. p. 583.

† *John Gordon Robertson and Others*, High Court, 24th March, 1842, Broun, vol. i. p. 152.

to enable you to determine the point without doing so; but I cannot see the possibility of that, and I must therefore of necessity indicate what the line of inquiry is. Mary M'Leod

After consultation—

The Lord Justice-Clerk said—The Court have thought it proper to consider this matter, and the result to which we have come is this, that we do not think this is a case at all within the rule of the cases cited by Mr. Watson, one of them being a case where the prosecutor charged mobbing and rioting without setting forth that common purpose, which is the very essence of the crime. The other was a case of wilful fire-raising. But here the question is this, whether these circumstances, occurring last summer, were now to be put in evidence for the purpose of proving the existence of malice at the time. There was evidence tending to show that there was some secret misunderstanding, which I need not particularly refer to, between the prisoner and his wife. Now, in that state of the evidence, we cannot see that it is incompetent to prove what this question implies the Crown are intending to prove—namely, that the prisoner had used familiarities with this woman which caused jealousy on the part of his wife—because that would very materially bear on the question before the Court.

The Solicitor-General—I understand your lordships' ruling is this, that I am to tender evidence bearing on the footing on which the prisoner and this girl lived before the time referred to in this libel, and down to the very period of his wife's death.

The Lord Justice-Clerk—Yes.

The witness recalled and examination resumed by the Solicitor-General—Did Mrs. Pritchard ever see her husband use any familiarities towards you?—Yes; she did.

What were they?—(No answer.)

The Lord Justice-Clerk—This is very unpleasant, but there is no avoiding it, and you must tell us the whole story. What was it?—She saw him kissing me.

The Solicitor-General—Where was the place?—It was in one of the bedrooms.

And Mrs. Pritchard came in just at the time?—Yes.

Did she speak to you about it afterwards?—I spoke to her.

When did this happen?—Last summer.

What did you say to her?—I wanted to go away. She would not let me.

The Lord Justice-Clerk—What did she give as her reason for not letting you go away?—She said she would speak to the doctor.

What did she say about him?—She said he was a nasty, dirty man.

The Solicitor-General—When did the doctor first use any

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familiarities with you? Was it shortly before this?—In the course of last summer.

Did he get the better of you?—(No answer.)

He had connection with you, had he not?—Yes.

Did you become with child to him?—Yes.

Did you tell him that yourself?—Yes.

What did he say?—He said he would put it all right.

When did this happen?—Last year.

Was it before Mrs. Pritchard had seen him kissing you, or afterwards?—Afterwards.

Did he give you any medicine?

Mr. Clark—Are we to go into questions leading to this, that he gave her medicine for the purpose of procuring abortion?

The Lord Justice-Clerk—I would like first to know if a child was born. (To witness)—Were you delivered of a child?—(No answer.)

Was there a child born?—(No answer.)

Had you a miscarriage?—Yes.

When did that take place? Was it in the winter?—No.

Was it in the autumn?—Yes.

The Solicitor-General intimated that the next question he meant to put was whether the prisoner gave her anything to produce the miscarriage.

Mr. Clark—That is a matter of which, if it was to be inquired into, we should have had notice. It is difficult to see what it has to do with the question whether or not these murders were committed, but it is a matter which the prosecutor could have raised on a separate indictment, or under this indictment on a separate charge.

The Solicitor-General—It is material to the ends of justice that we should show not only the footing on which the prisoner was living with this girl at the time, but also that, being a medical man, he, in the course of that illicit intercourse, used his professional skill and knowledge of his art for such a purpose. It is material with reference to the charge made against him in this indictment that he used his professional skill and art for another purpose upon his wife and her mother. The bearing of that on the other evidence, not only for the prosecution, but for the defence, it would be improper, and might be prejudicial to the ends of justice, to dwell upon. But it is impossible not to feel that it is of importance for the consideration of the jury with reference to the whole circumstances that may be brought out in evidence—on the prisoner's side, it may be, evidence of good character, evidence of his living together with his wife on such terms as to exclude all notion of such a crime as that which is imputed to him—that it should be known how he was living in his own house, and to what uses at the time in question he was applying the skill and practice of his art.

Mr. Clark—The argument of the prosecutor comes to this, that he is entitled to use the alleged commission of another crime as proof of this crime. He does not suggest that as a motive. He wants to use this evidence for the purpose of showing that, because the prisoner used his skill in this improper manner, it is probable he may have used it in the more atrocious manner charged against him in the present indictment. That is simply, I submit, putting the prisoner on trial for a crime which is not charged against him in this libel. It is a perfectly competent charge if the public prosecutor thought it his duty to make the charge and to put it in the indictment. He has not done so; he has not made the charge, I presume, because he knew he could not prove it, and yet he brings this girl as a witness for the purpose of putting the prisoner on his trial for an offence, on the allegation that it may be useful for the public prosecutor, to show that he used his skill improperly in one case, so that the inference may be drawn that he used his skill improperly on the occasion libelled. If the prosecutor wanted to charge this crime, the proper course was to have charged it specifically in the indictment.

The Lord Justice-Clerk, after consultation with the other Judges, held that the proposed question was not competent.

The Solicitor-General—Did this improper connection between the prisoner and you continue long after you had the miscarriage?—Yes.

Was it continued when Mrs. Pritchard was in Edinburgh visiting her father?—(No answer.)

Had he connection with you when Mrs. Pritchard was in Edinburgh visiting her father?—(No answer.)

The Lord Justice-Clerk—It is necessary that you should answer the question. I sympathise with your very painful position, but it is necessary that you should do so. Had he connection with you at that time?—Yes.

The Solicitor-General—Had he also connection with you after his wife's return to Glasgow and before her death?—No.

Did he ever speak of marrying you?—Yes.

Was that before his wife turned ill?—Yes.

Did he say he would marry you?—Yes.

Did he say when he would marry you?—No.

When he said he would marry you, did he speak of his wife?—(No answer.)

What did he say about his wife when he said that he would marry you?—(No answer.)

Did he say that he would marry you if his wife died?—Yes.

Now, after I have suggested the matter to you, you will be kind enough to repeat what he did say to you?—(No answer.)

The Lord Justice-Clerk—Give us the exact words?—(Witness hesitated.)

Mary M'Leod

The Solicitor-General—You cannot possibly like standing there, but you must if you do not answer the question. What were the words he said to you?—(Witness still hesitated.)

There is no reason why you should not say it. It is to avoid mistakes that might be made regarding you that I wish you to answer.

The Lord Justice-Clerk—Tell us what he said, because it must be known.

Witness was repeatedly urged by the Lord Justice-Clerk and the Solicitor-General to repeat the words, but only became more deeply excited. The scene lasted for several minutes, and produced a very painful impression in Court.

The Solicitor-General—Did he say he would marry you if his wife died?—Yes.

Was that several times?—No; only once.

What did he say then upon that one occasion?—(No answer.)

This was before his wife took ill that he said that?—Yes.

Did he give you any presents?—Yes.

What was the first present he gave you?—A ring.

When was it he gave you the ring?—The year before last.

What else did he give you?—A brooch and a locket.

[Shown No. 99]—Is that one of the brooches?—Yes.

When did you get the anchor brooch?—This year.

Was it not very shortly before his wife's death?—Yes.

In the same month that she died?—Yes.

Did he give you his likeness?—Yes.

Did he give you more than one photograph of himself?—Yes.

Was his photograph in one of these brooches which he gave you?—In the locket.

Was there a photograph in it when he gave it you?—Yes.

There is not a photograph in it now; what has become of it?—(No answer.)

What became of it?—I tore it.

I forgot to ask you, when you were speaking about Mrs. Pritchard's illness throughout, from her return after Christmas until her death, was she afflicted with a violent purging as well as with sickness and vomiting?—Yes.

You had to attend to the chamber and empty it several times a day?—Yes.

Did this purging accompany the sickness down to the end of her life?—Yes.

Do you know whether Mrs. Taylor, on the last day of her life, was also afflicted with frequent purging?—Yes.

When did you first observe it?—On the Friday.

What time of day?—In the afternoon.

Now, there was some tapioca got from Burton & Henderson during Mrs. Taylor's lifetime; do you remember who bought it?—Yes; Master Kenneth, one of the prisoner's children.

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Did the boy give it to you when he brought it in?—Yes.

How much was there of it?—There was either half a pound or a pound in a paper bag.

What did you do with it?—I laid it on the lobby table.

How long did it lie there before it was taken down to Catherine?—It did not lie very long.

Was it an hour or two, or a shorter time?—A shorter time.

Did you take it down to Catherine?—Mrs. Taylor took it down.

Did you tell the prisoner that Mrs. Taylor used Battley's medicine?—I did not.

Did you ever speak to him upon that subject at all?—No.

Cross-examined by Mr. Clark—Did you see Dr. Pritchard cut the cheese that you took up to Mrs. Pritchard?—No.

Had you taken the cheese into the supper-room?—Yes.

Who were at supper?—The children—Charles, Kenneth, and Horace—and Dr. Pritchard, Mr. King, and Mr. Connell.

They were there when you took in the tray with the cheese on it?—Yes.

And they were there when you got it to take away to Mrs. Pritchard?—Yes.

Were they sitting at the table when you got it away with you?—Yes; I think they were.

And the cheese was on the table?—Yes.

Where was the prisoner when he gave it to you?—He was in the dining-room.

Was he sitting at the table?—Yes.

And it appeared to have been just cut off at the table and given to you to take up?—Yes.

How much of that cheese did you eat?—A very small bit.

But just give me a notion of it. Could you show me on the point of your finger how much it was?—(Witness pointed at the tip of her finger, showing that it had been very small.)

Before you had taken up the egg-flip to Mrs. Pritchard, had you been with her that night?—Yes.

And continued to be with her till you went down for the egg-flip?—Yes.

Had she been ill before you went down for the egg-flip?—Yes.

Had she not vomited before you went down for the egg-flip?—No.

What had been the matter with her?—She was worse that night.

Was that before she took the egg-flip?—Yes.

Had she not been vomiting?—Not that I remember.

In what way was she worse?—She told me she was not well.

You stopped with her till about four o'clock in the morning; did she vomit more than once?—No; just once.

Was she worse or better after the time that she got the egg-

Mary M'Leod

flip than she had been before, except for the vomiting?—She was better after she vomited.

Do you mean better than she had been before she took the egg-flip?—Yes.

Did you clean out the consulting-room during the time you were there?—Yes.

Did Dr. Pritchard keep any medicine there?—He used to keep medicine on the table for people that came in.

Were there medicines in other places in that room except on the table?—I could not tell.

Was there a press in the room?—Yes.

More than one?—Yes, two.

Were these kept locked or open?—One of them was always kept locked; the other had the key in the door.

Do you know if spirits were kept in the locked one?—Yes.

Have you seen the prisoner taking spirits out of it?—Yes.

Do you know there were bottles in the one in which the key was left?—Yes.

What kind of bottles?—Medicine bottles.

When you were in Dr. Pritchard's service, with whom did you sleep?—With Catherine Lattimer.

All the time she was there with you?—Yes.

When the prisoner spoke to you about marriage, did you think he was speaking in joke?—Yes.

Re-examined by the Solicitor-General—What did you do with the rest of the cheese—I mean with the bit which Mrs. Pritchard would not eat?—I took it downstairs and left it in the pantry.

The Lord Justice-Clerk—You say that the prisoner appeared to be speaking in joke when he spoke to you about marriage. Now, you must tell us what he said; there must be no more delay about it; the thing must be done.—(No answer).

The Lord Justice-Clerk—This is the last question you have got to answer, but if you do not answer it, I shall be obliged to send you to prison. Now, you may choose between these two things. The question you have got to answer is, what did the prisoner say to you about marriage?

Witness—He said that when Mrs. Pritchard died, if she died before him, and I was alive, he would marry me.

The Lord Justice-Clerk—You may go now.

At this stage Mr. Clark suggested that, it being now past six o'clock, the Court might adjourn, as it would not be for the advantage of the prisoner that the sittings should be too protracted.

The Lord Justice-Clerk pointed out that, as the time was running, the Court were bound to sit longer if necessary to prevent miscarriage of justice, and referred Mr. Clark to the arrangement made in the trial of the *Glasgow Cotton Spinners*.

Mr. Clark said he would be willing to enter into any arrangement which might be thought necessary.

The Lord Justice-Clerk then, addressing the jury, said—I hope that we shall be able to adjourn now till to-morrow. This is a case, I need not tell you, which will occupy several days, and it is not desirable that we should sit for long hours daily, which might be by no means conducive to the ends of justice. Accommodation will be provided for you in an hotel in this city, where I hope that you will be perfectly comfortable, and to which you will be conveyed each day upon the rising of the Court. If the proposed arrangement is carried out, we will adjourn at present, to meet at ten to-morrow morning.

The following minute was then adjusted and signed.

"At this stage of the proceedings, it was moved by the counsel for the panel, and by the panel himself, that for their accommodation the Court should now adjourn the diet, it being expressly understood that the period of adjournment shall not be reckoned in the running of the letters of indictment."

The Court adjourned at half-past six o'clock.

Second Day—Tuesday, 4th July, 1865.

The Court met at ten o'clock.

M. Patterson

6. Mary Patterson, examined by Mr. Gifford—I entered the service of Dr. Pritchard as cook on the 16th February last. I came to Glasgow from Forres, and knew nothing of Dr. Pritchard's family before. I saw Catherine Lattimer, whose place I was to take. She left the night I came. The inmates of the house when I went were Dr. Pritchard and his wife, their four children, and Mrs. Taylor; Mr. King and Mr. Connell, boarders; and Mary M'Leod. Mrs. Nabb, a person who assisted in washing occasionally, was also there that night. I did not see Mrs. Pritchard when I came. She was confined to bed, and I was not up in her bedroom. Mrs. Taylor took charge of the house and gave me directions. She occasionally spoke to me about Mrs. Pritchard.

Did she say anything to you about her when you first came?—She said she could not understand her trouble; that she was sick and vomiting frequently, and got no sleep.

Did you ask Mrs. Taylor for Mrs. Pritchard every day?—In general, every day.

Did she tell you how she was?—Yes; she said she rested very little during the night.

Did she tell you more than once that she had been sick and vomiting?—Yes; several times.

You never saw any of the matter that Mrs. Pritchard had vomited?—No; except on her clothing, and on the bed-clothes.

When did you first see Mrs. Pritchard?—The night of her mother's death.

Mrs. Taylor died on the morning of the 25th February?—Yes.

When did you see Mrs. Pritchard on the night of Friday, the 24th?—Well on for twelve o'clock that night.

Tell us how you came to see her then?—Mrs. Taylor had been ill about nine o'clock, I understood, and Dr. Paterson had been called in. Mary M'Leod went out a second time for Dr. Paterson, and she asked me to answer the door when she would ring; when she went out, I went upstairs to see if I could be of any service.

You went to the top flat?—Yes; and I stood near the top of the stair.

Evidence for Prosecution.

Did you hear anything going on in Mrs. Pritchard's room?— M. Patterson
I heard Mrs. Pritchard saying, "Mother, dear mother, can you not speak to me."

Did the bedroom door open soon after that?—Yes; and Dr. Pritchard came out and told me that Mrs. Taylor was gone.

Did you go in?—I went in then.

Did you find Mrs. Taylor dead?—Yes; I put my hand on her forehead, and found it getting cold.

That was the first occasion you had seen Mrs. Pritchard?—Yes.

How long before that on that day had you seen Mrs. Taylor?—I saw her about seven o'clock in the evening. She was down in the kitchen speaking to me.

Did she appear to you to be well?—She appeared to me somewhat peevish, as I thought from fatigue, in consequence of the night watching with Mrs. Pritchard.

Did you see nothing of her again that night?—No; not till I saw her dead in the bedroom.

You were not very frequently upstairs?—Very little; my work was below.

Had you been told not to come upstairs?—Not at that time. I was told several times after Mrs. Taylor's death.

By whom?—By Dr. Pritchard. I was told by him several times, before he went out to his calls in the morning, not to disturb Mrs. Pritchard, as she was composed to go to sleep.

When you found Mrs. Taylor dead that night, did the prisoner come back to the bedroom?—He came back after he came out and told me that Mrs. Taylor was gone.

What was done after that?—Mrs. Pritchard was in bed in a kneeling position, beside her mother, rubbing her mother's right hand between hers.

Was Mrs. Pritchard removed from the room?—The prisoner asked her to come downstairs, as he thought it was not desirable for her to be there. She insisted she should be left a little longer with her mother, as she thought her mother was not quite dead.

Mrs. Pritchard said that?—Yes.

Were you sent downstairs by the prisoner to make the spare bedroom ready?—Yes; to light a fire in it.

Did Mrs. Pritchard and the prisoner come down to the spare bedroom?—Yes; after I went up and told them that the bedroom was ready.

How did Mrs. Pritchard come down?—She walked down, and the prisoner accompanied her.

The Lord Justice-Clerk—With his help?—I don't think he helped her. He said he would carry her down. She said she would rather walk.

M. Patterson

Mr. Gifford—Had Mrs. Nabb been sent for?—Yes; Mary M'Leod was sent for her after she came from Dr. Paterson.

Did Mrs. Nabb come?—Yes.

Did she and you go to the bedroom to dress Mrs. Taylor's body?—Yes; we did so.

Were her clothes on when she died?—Yes.

As you were taking off Mrs. Taylor's dress did you feel or hear anything in the pocket?—Yes; I took off her clothes and laid them on the floor, and in doing so I heard the sound of a bottle along with a key in her pocket.

Did you lift the dress?—A little afterwards I did, and took out the bottle.

What else did you find in the pocket?—I found the key of the storeroom, and a purse and a letter.

[Shown No. 85]—Is that the bottle?—Yes.

Was there anything in the bottle?—Yes; it was about half-full of a liquid.

What was the colour?—It was a brown liquid, something like laudanum.

Did you notice how full the bottle was?—It was about half-way up the label.

You read the label at the time?—Mrs. Nabb read it aloud; this part of it—"Two drops equal to three of laudanum."

You afterwards pointed out how far it was filled to Dr. Penny?—Yes.

And he made a mark at the time?—Yes.

That is the mark [showing it]?—Yes.

Did you uncork the bottle?—Yes; and smelt it.

What did it smell like?—It smelt to me like laudanum.

What did you do with the bottle?—I put it underneath a chest of drawers in the room.

When you were dressing Mrs. Taylor's body did you observe any mark upon it?—Yes; it was all coloured on the left side.

The Lord Justice-Clerk—What colour?—A pinkish sort of colour.

Mr. Gifford—When you had entered the bedroom at first was Dr. Paterson there?—No.

Dr. Pritchard was?—Yes.

Did he make any remark to his wife?—When Dr. Paterson did not come, Mrs. Pritchard said, "Edward, can you do nothing yourself?" He said, "No; what can I do for a dead woman? Can I recall life?"

The Lord Justice-Clerk—That was, I suppose, immediately after you went into the room?—Yes.

Mr. Gifford—Was that after Mary M'Leod had come back and said that Dr. Paterson was not coming?—Yes.

Did the prisoner say anything to his wife more about Mrs.

Taylor?—He said that Dr. Paterson said she was paralysed on the left side when he was there first. M. Patterson

That was the same side that you had observed the mark upon?—Yes.

After you had dressed the body, did the prisoner come back to the room before you had left it?—Yes; he came and asked for the bottle that we found in Mrs. Taylor's pocket.

The Lord Justice-Clerk—Was Mrs. Nabb there at this time?—Yes.

Mr. Gifford—Did you take the bottle from below the drawers, where you had placed it?—I did.

Did you give it to the prisoner?—I did.

What did he say?—He raised his eyes and hands and said, "Good heavens, has she taken this much since Tuesday?"

What more did he say?—He charged me to say nothing about it.

The Lord Justice-Clerk—Give us the words he used?—He said it would not do for a man in his position to be spoken of.

Mr. Gifford—Did he say anything more?—He said he would take the bottle down and show it to Mrs. Pritchard.

Did he take it with him?—Yes.

After Mrs. Taylor's death did you wait on Mrs. Pritchard, or was it Mary M'Leod?—I waited very seldom—once or twice, or perhaps three times, with her food.

Can you remember the first occasion?—I saw her frequently—once a day, perhaps, until about the last week, when I did not see her so often.

Was she in the drawing-room?—Yes; most of the times that I saw her.

Did you get orders from her in the drawing-room about what was to be brought in for dinner, or what was necessary for the house?—Yes; sometimes.

Had you ever been sent by the prisoner to get anything for Mrs. Pritchard before Mrs. Taylor's death?—Not that I am aware of.

Do you remember him asking you to get something for Mrs. Pritchard one night?—One night he brought in some woodcock and wanted me to cook them.

Was that before Mrs. Taylor's death or after it?—It was before.

Did you cook the woodcock for supper?—I did.

Who took it up?—I do not know. The prisoner brought it down.

Do you remember before Mrs. Pritchard died that a bell was rung?—Yes; I remember that it rang the day before her death, in the forenoon, between twelve and one o'clock.

Whose duty was it to answer the bell?—Mary M'Leod's.

M. Patterson Did you answer the bell on that occasion?—I did; I answered it when it rang a third time.

What did you do?—I went to the consulting-room first, the door being a little open, and asked the prisoner, who was there, if he had rung his bell, because I was not sure of the sound of the different bells. I got no answer. The door was a little open, but it refused to open to me with freedom, and I did not press it. The prisoner was in the room. I know that, because when I was up the third or fourth step of the stair going towards Mrs. Pritchard's bedroom, he asked me, "How is Mrs. Pritchard now?"

When you heard the bell ring a third time, you say you went to the consulting-room to see if it was the doctor's bell?—Yes.

What prevented the door from opening?—I don't know. It appeared to me to be something behind the door.

You went upstairs and Dr. Pritchard came from the door of the consulting-room after you, and asked you how Mrs. Pritchard was?—Yes; I said I did not know, as he had told me not to go upstairs before he went out, as she wanted to go to sleep.

Was it then he told you that?—It was before he went out to make his first calls in the morning.

Did you go upstairs after he came out of the consulting-room?—I did.

Did you keep looking downstairs to see if he was following you?—Yes.

Did he follow you?—He did.

Anybody else?—Yes; Mary M'Leod followed the doctor.

Had she been with the doctor?—I do not know where she came from; she had not been in the kitchen flat with me.

Did you ask her about the bells?—Yes; when I returned to the kitchen afterwards.

Did you go to Mrs. Pritchard's room?—Yes; Mrs. Pritchard asked me to empty a certain vessel in the bedroom.

The Lord Justice-Clerk—Where was she—in bed or sitting up?—She was lying in bed.

Mr. Gifford—You took away the vessel?—I did.

Had the prisoner followed you?—I met him near the foot of the bed as I was going out.

You went downstairs?—Yes.

The Lord Justice-Clerk—Taking the vessel with you?—No; Mary M'Leod took it out of my hand.

Mr. Gifford—Had Mrs. Pritchard been vomiting?—Not that I am aware of at that time.

Was Mary M'Leod in the kitchen when you went down?—She came down after me for hot water for Mrs. Pritchard's feet.

What did she say to you?

[Question objected to, and withdrawn.] M. Patterson

Mr. Gifford—Do you remember the 8th of March—you took up Mrs. Pritchard's dinner that day?—Yes.

What was the dinner?—Curry.

Who had ordered it?—Mrs. Pritchard herself.

Did you see her after dinner?—I did. She said she enjoyed her dinner very much, and wanted me to keep the remainder of it for her supper.

Did she say on that occasion whether it had remained on her stomach?—Yes; she had not been sick at that time, when I saw her.

The Lord Justice-Clerk—Did she say she had not been sick?—Yes.

And how long after dinner was it that you saw her?—Immediately after taking away the dinner things.

Mr. Gifford—Did she make any observation regarding her illness?—Yes: she said she felt much better, and I said she looked much better than I had seen her before. She also said she could not make out what was the matter with her. She said she felt almost well, excepting when she was sick and vomiting.

That was on the 8th of March?—Yes.

Then you did not see her for some days after that?—Not in particular, that I remember. I might, and I might not.

You remember the next Tuesday—the Tuesday in the week in which Mrs. Pritchard died—of finding a plate with cheese somewhere?—Yes; I found a small plate with a bit of cheese in the pantry in the morning.

How big was the piece of cheese?—A little bit.

What time of day was it when you found it?—About seven in the morning.

The Lord Justice-Clerk—What size was the piece of cheese?—There might be three or four inches of it.

Mr. Gifford—Was it a piece of a cheese that had come to the house before that?—Yes.

Did you hear that Mrs. Pritchard had cheese for supper the night before?—Yes; I learned from Mary M'Leod the night before that Mrs. Pritchard had decided on taking cheese for her supper.

When you found this piece of cheese did you do anything with it?—I took up a little bit and ate it.

How much did you eat?—About the size of a good large pea.

How did it taste?—It had a bitter taste.

Did you feel any peculiar sensation after eating it?—I felt a burning sensation in my throat immediately after taking it, and an inclination to be sick.

Did you become sick?—Yes; I vomited frequently.

Immediately afterwards?—About twenty minutes afterwards.

M. Patterson Had you taken anything to eat or drink before eating the cheese?—Nothing.

How long did the sickness continue?—Till after breakfast; some time before ten.

You vomited more than once?—Yes.

Did you feel any pain?—Yes; I felt a pain in my stomach and bowels.

Did you mention that to any one?—I mentioned it to Mary M'Leod between eight and nine o'clock, and asked her to get me half a glass of spirits.

Did she get spirits for you?—Yes; about ten o'clock she brought me down a glass of spirits, which I took after I went to bed.

The Lord Justice-Clerk—When did you go to bed?—Between nine and ten o'clock in the morning.

Mr. Gifford—Were you sick after that?—No.

How long did you keep your bed?—I was up again some time before twelve o'clock.

That was on Tuesday, the 14th March?—Yes.

Now, next day, Wednesday, do you remember the prisoner speaking to you in the forenoon?—Yes; he spoke to me several times that day.

At what o'clock?—Somewhere about dinner-time.

Did he not speak to you before that in the forenoon?—I do not remember whether he did or not.

What did he speak to you about at dinner-time?—I don't recollect just now.

Then, in the evening of Wednesday did he speak to you?—He spoke several times, I think, that day.

Do you remember any particular conversation you had with him in the evening about something?—He asked me at night to make some egg-flip for Mrs. Pritchard.

At what time would that be?—Somewhere between ten and eleven o'clock at night.

Did he call you upstairs?—He called me up to the top of the kitchen stairs.

You met him at the top of the stairs?—Yes.

Did you get an egg from him?—Yes.

Was it broken or whole?—It was whole.

What did he say?—He told me to beat it up in a porter-glass, which I did.

Where?—In the pantry upstairs.

Did he give you any more directions about it?—He told me to beat it up very smooth, or Mrs. Pritchard would not take it.

Where did he go when you were beating it up in the pantry?—He was once or twice in the pantry during the time; and one of the times he said he thought it was now pretty smooth, and

he would bring me a bit of sugar, and I could put in some boiling water. M. Patterson

The Lord Justice-Clerk—Did he go for the sugar?—Yes; he went from the pantry into the dining-room, from the dining-room into the consulting-room, and then from the consulting-room into the pantry, and dropped the sugar into the tumbler.

Mr. Gifford—What kind of sugar was it?—Lump sugar.

Was it in one or two pieces?—There were two pieces, as far as I could see.

Where was the sugar kept?—I don't know. I think it was in the dining-room cupboard, as I took it to be, but I never looked into the dining-room cupboard.

The Lord Justice-Clerk—Did you remain in the pantry all the time he was away?—Yes.

Mr. Gifford—There is no direct communication between the consulting-room and the dining-room?—You have to go into the lobby first.

Did you notice the sugar that was dropped by the prisoner into the glass?—I took no particular notice of that further than that it was loaf sugar; there were two pieces.

Did the prisoner say anything?—Nothing at that time.

Did he say anything about whisky?—Yes; he said he would add the whisky when it came upstairs.

Did you take it upstairs?—No; I left it in the pantry.

And went downstairs for the hot water?—No; Mary M'Leod passed when the prisoner and I were in the pantry, and said that Mrs. Pritchard was not ready for it yet, and that she would come down for it when Mrs. Pritchard was ready to take it.

When you heard that, what did you do?—I laid down the glass with the beat-up egg and sugar in it on the pantry table.

Did you go downstairs?—I went downstairs.

Did Mary M'Leod come down soon after?—Yes; it might be ten or fifteen minutes after; I could not say how long.

Did she ask for the egg-flip?—Yes; I told her it was in the pantry, and she went up and brought it down.

What did you do then?—I put the hot water into it.

When you were mixing the water did you say anything?—I said I wished it might be warm enough, as the kettle had been some time off the boil. Mary M'Leod asked me to taste it, and I did so.

Had it any peculiar taste?—It had a bitter taste.

How much did you take?—I took about a teaspoonful of it.

Did you make any remark about it to Mary M'Leod?—Yes; I said it had a horrible taste or a bitter taste.

Did she take the egg-flip away?—Yes.

Did you feel anything after that?—Yes; I grew sick immediately after tasting it.

M. Patterson Had you any other feeling?—Yes; I had the same feeling as I had with the cheese.

The Lord Justice-Clerk—You mean a burning in your throat?—Yes; a burning, bitter sensation in my throat.

Had you a similar feeling in your stomach?—Yes; I felt the same as I did with the cheese the day before.

Did you vomit?—I vomited frequently through the night.

Mr. Gifford—Did you continue sick any time?—I continued sick till about four o'clock in the morning.

Was Mary M'Leod upstairs that night?—Yes: she was up till about four o'clock.

Did she come down about that time?—She came down to go to her bed about four o'clock.

Did you tell her how sick you had been?—I did. I said I thought I would have died without seeing the face of any one alive, alone in the room.

Did you say to Mary M'Leod that your sickness was owing to anything?—No.

Did you say anything about the egg-flip to her?—No; I said nothing at that time.

Did you ask for Mrs. Pritchard when Mary M'Leod came down?—I asked where she had been; and she said in the room with Mrs. Pritchard. I asked if Mrs. Pritchard was so ill that she required both the prisoner and her, and she said Mrs. Pritchard would not allow her to leave the room, and that the prisoner was in bed in the same room.

You continued unwell that morning even after four o'clock?—Yes; I was unwell the whole day after, but I did not vomit after four o'clock.

When did you see Mrs. Pritchard next?—I did not see her till the Friday—the day before she died.

And when did you see her first on the Friday?—Some time in the forenoon, or between twelve and one.

When you went upstairs did you go to Mrs. Pritchard's bedroom?—No; that was the time I went to the consulting-room door.

Did you see her that day on another occasion?—Yes; that was the second time I was up; after I came down first I went back again to speak to her about chemises for her youngest daughter.

The Lord Justice-Clerk—When was that?—It was between twelve and one o'clock on the Friday before she died. It was shortly after I was first in the room; it might have been twenty minutes after.

Mr. Gifford—Who was in the room when you went up?—The prisoner.

What was he doing?—He was standing at the side of the bed.

Evidence for Prosecution.

M. Patterson

What was Mrs. Pritchard doing?—She was finishing drinking something out of a porter glass.

Did she empty the glass?—Yes.

Who took it from her?—The prisoner took it from her and set it down on the side table.

Did you speak to her about the chemises, and get directions what to do?—Yes.

She was quite intelligent then?—Yes; she said she had a bit of cotton about the bed, and she sat up and looked for it, but she could not find it. I spoke to her about a piece of linen for a chemise, and got directions what to do.

When did you see her next?—Some time about five o'clock in the afternoon.

Did the bell ring then?—The bell rang with violence, and Mary M'Leod went to answer it.

What did you hear next?—Mary M'Leod came and called over the stair to me very sharply, "Come upstairs."

The Lord Justice-Clerk—How long was this after you had been in the bedroom?—Some hours.

Mr. Gifford—Did you go upstairs?—I did. I found Mrs. Pritchard going towards the bedroom door with Mary M'Leod.

Did you and Mary assist her into bed?—She was in bed before I got the length of assisting her. I saw her getting into bed.

What state was Mrs. Pritchard in then?—She was in a state of excitement.

What did she say?—The first thing I heard her say was something about her mother. I could not repeat it, but I heard the word "mother."

Did you go forward to the bed?—I did.

Did you assist Mary to do anything to Mrs. Pritchard?—I assisted to put the bed-clothes upon her.

Did she say anything then?—She said—"Never mind me; attend to my mother; rub her, and give her breath."

Was Mrs. Pritchard raving then?—She appeared to me to be so.

Did you continue rubbing her?—Mrs. Pritchard asked for one of the pillows, and I thought she imagined that it was her mother. She began to rub it with one of her hands.

Did you rub Mrs. Pritchard's hands yourself?—Yes; some time after that.

How did they feel?—They felt cold.

Were they cramped?—I don't know whether they were cramped or not, but Mrs. Pritchard said to me to rub her hands, as she was afraid of cramp. I began to rub one hand, and she told me to take them both and rub them both. I did so.

Did she get more composed then while you were rubbing her

M. Patterson hands?—Yes; she mentioned my name and said, "I did not know anything about this until the boys came in dressed."

Had any of the boys come in?—No.

Did you know what she meant by that?—No.

How was she speaking, earnestly or incoherently?—Earnestly, as I thought.

Can you tell us the exact words she said when she became more composed?—The youngest daughter came into the room, and she asked who that was; I said it was Ailie. She said, "Is not Ailie gone to bed yet?" I said no; it was not time. She said she thought it was eleven o'clock. I said she must have been sleeping. Then she told the child to leave the room and go downstairs and see if Mary M'Leod was getting the tea ready. She then said to me, "Oh! Patterson, rub my hands harder, because I am afraid of cramp all over."

Did the prisoner come in while you were still rubbing?—Yes; and I left the room.

Can you remember the exact expression she used about not knowing about this till the boys came in dressed?—She said, "I did not know anything about this till the boys came in dressed." There was none of the boys there then.

Was that at the same time as she was speaking about her mother?—It was after she left off speaking about her mother.

When the prisoner came you left the room?—I did.

Did he do anything before you left the room?—No.

Were you asked to prepare anything for supper that night?—A little chicken which had remained over from her dinner.

Did you prepare it for supper?—I did.

Did you take it up?—I took it the length of the pantry.

What happened then?—I met the prisoner there. He came out of the consulting-room and said, "Has Mrs. Pritchard got her supper?"—I said "No; but there it was, and I was going up with it."

It was in your hands?—Yes; and I was going to take it up. He said he would take it up for me.

Did you give it to him?—Yes.

Did he go upstairs with it?—I think so; but I returned immediately to the kitchen, and left him.

What o'clock would that be?—Somewhere between ten and eleven o'clock, as far as I recollect.

What was the next you heard after that?—I do not think I heard any more till Mary M'Leod called me up about half-past one in the morning.

What did she want you to do?—She told me to get up and make a mustard poultice for Mrs. Pritchard, and I got up and did so.

Did you ask if you would go up with it?—I gave it to Mary,

and asked her if I would come up. She said she would let me know if I was wanted. She went up with it. M. Patterson

What happened next?—Immediately the bedroom bell rang, and I went up.

Did you go into Mrs. Pritchard's room?—I did.

Who were there?—Mary M'Leod and the prisoner were there.

Were the prisoner and Mrs. Pritchard in bed?—Yes.

The Lord Justice-Clerk—Did they appear to have been sleeping together?—Yes.

Mr. Gifford—Did you notice what condition Mrs. Pritchard was in?—I went up to the bed and looked at her, and handled her, and found that she was a good part cold.

She was dead?—Yes.

How long was this after you had sent up the mustard poultice?—I don't think it would exceed five minutes.

Did you notice whether the mustard poultice had been used?—No; it had not been used.

You saw it lying?—Yes; the prisoner pulled up her night-dress and asked me to put it on, which I refused to do. I said there was no use putting mustard upon a dead body.

When you said that, what did the prisoner say?—He said, "Is she dead, Patterson?" I said, "Doctor, you should know better than I." He said she could not be dead; that she had only fainted. He asked Mary M'Leod to rush down for some hot water to put about Mrs. Pritchard. But I said that it was no use to put hot water to a dead body.

Did he leave the room then?—No; it was some time after. He said, "Come back, come back, my darling Mary Jane. Do not leave your dear Edward."

Did he say anything more?—Yes; he said, "What a brute; what a heathen; to be so gentle—so mild." He asked me to kill him; and to take Mr. King's rifle and shoot him.

The Lord Justice-Clerk—Had Mr. King a rifle in the house?—Yes.

Mr. Gifford—What more passed?—I then said, "Doctor, don't provoke the Almighty with such expressions. If God were to shut your mouth and mine, I don't know how we would be prepared to stand before a righteous God."

What did he say to that?—He said, "True, Patterson, you are the wisest and kindest woman I ever saw."

Did he leave the room then?—I asked him to leave the room that I might dress the body, and he did so.

That same night he had been in the kitchen for coals?—Yes; he came down between eight and nine o'clock, I think.

Did he say anything about his wife?—He said he had had his friend Dr. Paterson in seeing Mrs. Pritchard, and that he said she had taken too much wine.

M. Patterson Did he say anything more about his wife?—No; I said that it would be a pity if she would do the like of that.

Did you dress Mrs. Pritchard's body?—I did, with the assistance of Mary M'Leod.

After you had dressed the body did you see the doctor again?—Yes; I went down and told him I had made up a bed for him on the top flat. He was in the dining-room at the time. He said, "Very good."

Did he say he was going anywhere?—He said he was going to the post office.

Did he appear to have been writing in the dining-room?—I did not notice; but he told me he had written some letters, one to his mother and one to an intimate friend of Mrs. Pritchard's.

Did he go out?—Yes.

Did you see him when he returned?—Yes; he called me upstairs, and I saw him at the top of the kitchen stair.

What did he say?—He said that his wife had walked down the street with him, and said to him to take care of Ailie and Fanny, but that she never spoke about the boys, and that she kissed him on the cheek, and went away.

The Lord Justice-Clerk—You understood him to be speaking of his wife?—I understood so.

Mr. Gifford—He went upstairs then?—Yes; he went into the consulting-room, so far as I remember.

When were you next sent for by him?—I sent him up a cup of tea when I returned at the time to the kitchen. He then came and called me up another time.

When was this?—A few minutes after he came in from posting the letter.

What did he want?—He wanted Mrs. Pritchard's ring from me.

Did you give him the ring?—Yes; I gave him the ring and earrings.

Now, did you take the sheets, the bolsters, and the pillow-cases off the bed in which Mrs. Pritchard died?—Yes.

The Lord Justice-Clerk—You took them off that morning?—Yes.

Mr. Gifford—Where did you put them?—I put them into the dirty-clothes press.

Were you afterwards asked by Superintendent M'Call for them?—Yes; after the prisoner was apprehended.

Do you remember what day it was?—It was the 20th March.

When asked for these sheets, &c., by Superintendent M'Call, did you go and get them?—I did; they were in the dirty-clothes press, where I had put them. [Shown No. 97]—These are what I gave to Mr. M'Call.

M. Patterson

Were they in the same state when you gave them as they were in when you took them off Mrs. Pritchard's bed?—Yes.

Did you also take off Mrs. Pritchard's body-clothes?—I did.

Where did you put them?—I put them in the dirty-clothes press also.

Were you afterwards asked to give them up to Mr. M'Call also?—I was. [Shown No. 96]—These are what I gave to Mr. M'Call.

When you gave these to Mr. M'Call, were they in the same state as they had been when you took them from Mrs. Pritchard's person?—Yes.

The sheets had a yellow stain when taken off the bed, had they not?—Yes.

The Lord Justice-Clerk—Were they all stained in that way, do you mean?—There were stains on them all.

Does that apply to the body-clothes as well as to the bed-clothes?—There were some stains on both.

Mr. Gifford—On Saturday, 1st April, did you find anything in the kitchen pantry?—Yes; I found a bag of tapioca.

Who was with you?—Catherine Lattimer was with me at the time. [Shown No. 84]—I gave that to Mr. Gemmell, the procurator-fiscal, and the sheriff-officer, Mr. Murray.

The bag was about three-quarters full?—Yes.

All the time that you were in Dr. Pritchard's house you did not use any tapioca?—No; there was none used while I was in the house.

Did you notice the bag standing in the kitchen press?—Yes; it had never been meddled with all the time I was there.

Were you frequently in the consulting-room?—No; I was very seldom in it.

Dr. Pritchard did not keep his consulting-room locked?—Not the door.

Were there presses in the room?—Yes; there were two.

Was the door of the consulting-room itself kept locked while the doctor was out?—No; it was always unlocked.

Then were the presses in the consulting-room kept locked?—There was one that I never saw open at all. I have seen the other open sometimes.

Was the one you never saw open kept locked?—I do not know, for I never tried whether it was locked or not; but it appeared to be.

The other you have seen open sometimes; what was in it?—I could not say what was in it, but I have got eggs out of it from the doctor for the breakfast.

The Lord Justice-Clerk—Is that the locked or unlocked one?—The unlocked one.

Mr. Gifford—Any time you noticed it, was the key in the door?—Yes.

M. Patterson During the whole time you were in the house till Mrs. Pritchard's death, was she ever down to the dining-room floor?—Never to my knowledge. She was never further down than the drawing-room.

When you showed the prisoner the bottle which you found in Mrs. Taylor's dress the morning after she died, and when he said, "Good heavens! has she taken all that since Tuesday," did he say anything more?—He said, "If she had told me, I would have known what she was taking; besides, to send a girl like that for it!"

Was that part of the same statement?—Yes.

The Lord Justice-Clerk—Tell us all he said.—He raised his hand and eyes towards heaven, and said, "Good heavens! has she taken this since Tuesday. If she had told me I would have known what she was taking, and not sent a girl like that for it."

That meant Mary M'Leod, I suppose?—Yes.

Mr. Gifford—Did he say anything more besides charging you to say nothing about it?—Not that I remember.

Did he say anything about his not knowing?—No; I took it for granted. He said that Mary had told him that we had found a bottle in Mrs. Taylor's pocket.

The Lord Justice-Clerk—Was that when he came to ask you for the bottle?—Yes: and therefore I understood that he knew nothing about it.

Cross-examined by Mr. Clark—You said you did not know that Mrs. Taylor was in the habit of taking the stuff you found in the bottle—Battley's Sedative Solution?—No.

And the prisoner told you to say nothing about it?—Yes.

Did you understand him at the time to mean that you were not to say that Mrs. Taylor was taking that stuff?—I understood him to mean that we were to say nothing about finding it in Mrs. Taylor's pocket.

Not to say that Mrs. Taylor had been taking it?—Yes.

That was all you understood?—Yes.

When you tasted the cheese in the morning, did you tell the prisoner that you had been ill?—No; I did not.

You never did at any time?—I did; the morning after I tasted the egg-flip. I asked how Mrs. Pritchard was, and he said she had had a very bad night. I said I had been very sick and vomiting during the night. He was in the pantry at the time, and, as far as I remember, he was gargling his throat after coming down from the bedroom

All you said was that you had been sick and vomiting?—Yes.

Who were in the house that night you made the egg-flip?—Mr. King and Mr. Connell, and Mary M'Leod.

All the people that usually slept there?—Yes.

After you left it in the pantry you did not see it till Mary M'Leod brought it down to the kitchen?—No.

How long would that be?—It might be ten minutes, more or less; I could not exactly say. M. Patterson

When Mrs. Pritchard was raving was she speaking loud?—Not louder than her usual way of speaking.

When she said she knew nothing about this till the boys came in dressed, you said she was speaking earnestly. Do you mean she spoke like a person not in her senses?—She was not speaking wildly, but in a quiet sort of way.

Was she speaking differently from the time when she spoke about her mother?—No; but between the time she mentioned my name and then, I thought she knew me.

The tone of voice from the beginning to the end was about the same?—Yes; it was not in a wild, rough manner, but in a smooth way of speaking.

Why did you think her raving?—Because she spoke as if her mother was present, when her mother was not present.

How long was it between the times she spoke about her mother and about the boys?—It was only a few minutes.

What time of the night did you leave her?—I was not many minutes in the room—perhaps ten or fifteen minutes.

Was she better when you left her?—She appeared quite sensible when I left her.

And out of pain?—I did not think she was in pain, but she said to me she was afraid of cramp, and to rub her hands harder than I was doing.

You did not leave her until you had done all you could do for her, I suppose?—The prisoner came in, and I then left the room.

As to the presses in the consulting-room, you say one was locked, and one not—which one did you never see open?—The one beside the fire.

There was one press in the same wall that the fire is in, and another in the wall opposite the fire?—Yes.

It was the one next the fire that you never saw opened?—Yes.

Re-examined by Mr. Gifford—When you told the prisoner the night after you tasted the egg-flip that you had been sick and vomiting, what did he say?—He said it would be a bad job if I were laid up also.

Did he give you anything?—No; he did not. I returned to the kitchen. No more passed.

When the egg-flip was taken upstairs to the bedroom, you never saw it again?—No.

Did you afterwards see the glass in which it had been?—No; but I could not have distinguished it from other glasses.

Did you usually wash the glasses?—Sometimes I did and sometimes not.

You never saw the egg-flip or the glass in which it was afterwards so far as you are aware?—No.

M. Patterson

Is the locked press on the same wall with the fireplace?—Yes; that is the one I never saw open.

There is just one window in the consulting-room?—Yes.

The Lord Justice-Clerk—When you are looking out of the window, which of the presses is to your right hand?—The one which was sometimes open; and the one which was never open is to the left hand.

Mr. Gifford—When you told the prisoner that you had been sick and vomiting that night, did you tell him what was the cause of it, or what you supposed to be the cause?—No; I did not say anything more.

The bottle that you found in Mrs. Taylor's pocket was taken out of the room by the prisoner that same night?—Yes.

When did you next see it?—The next time I saw it, as far as I can recollect, I think was upon the Monday morning on which the body of Mrs. Taylor was taken to Edinburgh, but I am not certain of the day.

Where did you see it that day?—On the corner of the chest of drawers under which I had put it in the room where Mrs. Taylor's body was lying.

Did you look at it particularly then?—No; I did not take it into my hands.

Did you observe whether the liquid was still in it?—The liquid was still in it. I never touched it.

When did you see it next?—The next time I saw it was in Superintendent M'Call's hands, after the prisoner's apprehension.

You were shown a bottle here, marked No. 85; was that a bottle of the same size and general appearance?—Yes; I cannot say more precisely that it is the same bottle.

Mary M'Leod

Mary M'Leod, recalled, examined by the Solicitor-General—You were in Dr. Pritchard's house after his wife's body was taken to Edinburgh?—Yes.

On the Tuesday the police were in the house, and you saw Superintendent M'Call there?—Yes.

Did you give him a bottle?—Yes.

[Shown No. 85]—Is that the bottle you gave him?—It is very like it. It is the same looking bottle and the same looking label.

And there was a dark-coloured liquid in it?—Yes.

You said that was like the bottle that you saw after Mrs. Taylor's body was dressed?—Yes.

Where did you find it?—It was in a drawer. The chest of drawers had been in the room when Mrs. Taylor died, and also when Mrs. Pritchard died; but they had been removed into the lobby by the time Superintendent M'Call came to the house to search, and in one of the drawers of that chest of drawers I found the bottle and gave it to him.

Was there any other bottle like it in the house that you knew of?—No.

The Lord Justice-Clerk—How did you come to look for the bottle in the drawers?—Mr. M'Call asked me to look for the bottle that was found in Mrs. Taylor's pocket after her death. Mary M'Leod

7. Jessie Bryden or Nabb, examined by Mr. Crichton—I go out as a washerwoman, and have been employed sometimes by Dr. Pritchard's family. I remember being sent for the night that Mrs. Taylor died, between twelve and one in the morning, to assist in dressing the body. Mary Patterson and I dressed the body. I saw a bottle found in Mrs. Taylor's pocket. [Shown No. 85.] That is the bottle, and the label is the same. The bottle was about three-parts full of a brownish liquid, which did not come under the label. Jessie Nabb

The Lord Justice-Clerk—That is to say, it stood about the lower edge of the label?—Yes.

Mr. Crichton—Did you see what was done with it?—Mary Patterson put it upon the drawers.

Upon the drawers or under the drawers?—I think it was under the drawers, because we were both on the floor at the time gathering up the clothes.

Did you see the prisoner after that?—Yes; he came into the room, and said that Mary M'Leod had told him that we had found a bottle in Mrs. Taylor's pocket. He asked Mary Patterson to give it him, and she knelt down and gave it him. He looked at it, and said, "Good heavens, has she taken all that since Monday?" He said she ought not to have got a girl like that to buy it for her, but she ought to have asked him to buy it for her, and he would have got it; then he said she had been in the habit of taking it for years.

Did he say anything about Mrs. Taylor's illness?—Yes; he said she had been indulging in liquor for a few days, and had taken an overdose of the opium.

The Lord Justice-Clerk—By which you understood him to mean Battley's mixture?—Yes.

Mr. Crichton—Did he say anything more about it?—He told us to say nothing about it, because it might lead to trouble.

When did he say that?—At night in the bedroom.

Did he speak to you again about this bottle?—Yes; next morning in the consulting-room, between eight and nine o'clock. I had gone in to make up the fire. He told me to take no notice to any one about the bottle. I asked if it was dangerous, and he said yes; it was poisonous when one took too much of it.

Do you remember seeing Mrs. Pritchard one day in January when you were there?—Yes; I cannot remember the date, but I know it was in the month of January.

Had you been carrying up coals to the bedroom?—Yes.

Did you hear anything before you went into the room?—Yes; I heard Mrs. Pritchard retching very much indeed.

Jessie Nabb Did you go in, or did you wait a little?—I waited a little. She rang the bell very violently, and then I went in.

Where did you find Mrs. Pritchard?—Leaning over the basin-stand.

What time of day was this?—About seven o'clock in the evening.

Did she ask you to give her anything?—Yes; she asked me to give her a drink of cold water.

Had she been downstairs before that?—Yes; she came out of the dining-room, and went up to her bedroom.

Had she been down at tea?—Yes.

The Lord Justice-Clerk—Very shortly before?—Yes.

Mr. Crichton—Did she ask for anything else?—She asked me to put her to bed, and give her a bottle of hot water for her feet, as she was very cold.

Did you assist her into bed?—Yes.

Did she complain of the sickness after she was in bed?—She only said she did not know when that sickness would cease.

Did she say anything more about it?—No; Catherine Lattimer came in, and I left the room.

The Lord Justice-Clerk—Did you get the bottle of hot water for her?—No; Catherine Lattimer attended to her.

Mr. Crichton—Did you see Mrs. Taylor the week before she died?—Yes; on the Wednesday night, during the week in which she died.

Did she say anything to you about Mrs. Pritchard's illness then?—Yes; she said she could not understand Mrs. Pritchard's illness, for she was one day well and another day very ill, and that she had been very ill the night before.

Did she say how she had been ill?—She said she had been very ill—sick and vomiting all the night through.

Did she say anything about cramp?—No.

Were you washing in Dr. Pritchard's house after Mrs. Taylor's death, upon the 9th of March?—Yes.

Were you in Mrs. Pritchard's bedroom that night?—Yes.

Were some soiled bed-clothes taken off the bed by you?—Yes.

Did they appear to have been soiled with vomited matter?—Yes.

Did she say to you she had been sick?—Yes; she told me she had been sick, but that she was not aware of it till she awoke in the morning.

The Lord Justice-Clerk—She had vomited in her sleep?—Yes.

Mr. Crichton—Had Mrs. Pritchard spoken to you frequently about her sickness?—Very seldom; I saw very little of her.

Did she ever tell you how she was when she was in Edinburgh?—She said she felt much better when she was in Edinburgh.

Jessie Nabb

You pointed out to Professor Penny the quantity of liquid which was in the bottle when you saw it last?—Yes.

Cross-examined by Mr. Clark—You told us the conversation that passed between you and Dr. Pritchard when he came in at the time you and Mary Patterson were dressing Mrs. Taylor's body. Have you told us all that passed?—Yes.

Was Mary Patterson present during the whole of the conversation?—Yes.

Was anybody else present besides Mary Patterson and you?—No.

Was Mary M'Leod not there?—No.

The Lord Justice-Clerk—When you showed Dr. Penny the quantity of liquid that had been in the bottle, was there anything in it?—No; it was then empty.

Did you see the bottle more than once?—I only saw it the night I was in Mrs. Taylor's room; and I saw it again empty.

T. A. Connell

8. Thomas Alexander Connell, examined by the Solicitor-General—I am a student of medicine. I boarded with Dr. Pritchard at one time. I went to him in November, 1863. I remained till after his wife's death. I was in his house when his wife went to Edinburgh in November last. I remember her going to Edinburgh. I spent the Christmas and New Year holidays with my father at Helensburgh; and I was away when Mrs. Pritchard returned. I found her at home when I came back. I returned shortly after the New Year. She appeared to me in pretty good health at that time. I knew she had been ailing before she went to Edinburgh. After my return in January I observed that she became unwell again. She told me she had a cold. She did not complain of anything else. I remember her complaining in the prisoner's presence of being unwell one night in the third week of January. It was in the dining-room, when the prisoner and myself were there, after tea. She said she felt unwell, and would go to bed. It appeared to come on her suddenly, and she left the room. I don't remember of her ever coming down to her meals after that. I did not see her again till after her mother's death. She never said much to me about how she felt. That was the only occasion that I remember when she complained of illness in my presence. I next saw her the week after her mother's death. During that time I generally asked the doctor every morning at breakfast-time how she was. Sometimes he said she was greatly better, and sometimes he said she was falling off. He did not at that time say what was the matter with her. Shortly before her death, and after Mrs. Taylor's death, he told me that he thought it was gastric typhoid that was the matter with Mrs. Pritchard. He had not before that given any name to her illness. He mentioned sickness as one of the symptoms of her illness. He said the sickness came on whenever she had eaten anything.

T. A. Connell He referred to this several times. He never mentioned cramp as a symptom of her illness. I heard of that from Mrs. Taylor. The only symptom of illness which the prisoner told me of was the sickness. Mrs. Taylor said Mrs. Pritchard was sick every time she tasted food, and was sometimes attacked with cramp in her arms and hands. She said the cramp came on after tea and at night. Mrs. Taylor once spoke to me about being sick herself. She said she was sick after taking some tapioca that had been prepared for Mrs. Pritchard. Mrs. Pritchard had refused to take it, and she, Mrs. Taylor, had taken it, and about an hour and a half after she was seized with sickness and vomiting, which continued about an hour. I understood her to say it was severe. She also said she was very glad that Mrs. Pritchard had not taken it, as it might have proved fatal to her in her delicate state. She said she would send the tapioca back to the shop, for it was bad.

The Solicitor-General—Did she say that her sickness and vomiting were like those with which Mrs. Pritchard was afflicted? —She said something of the kind, but I cannot remember the words.

But although you don't remember the words, the idea she conveyed to you was that her attack was like Mrs. Pritchard's own?—Yes.

To the Lord Justice-Clerk—I cannot tell the day that this occurred; but it was shortly after Mrs. Taylor came.

By the Solicitor-General—I was told Mrs. Taylor died at an early hour on Saturday morning. I had seen her upon the Friday. It did not appear to me that there was anything the matter with her when I saw her. I noticed no change upon her. I always thought her a strong, healthy old lady. I saw no difference on her on the Friday. She took tea that night with the prisoner and myself and the rest of the family in the dining-room just as usual about seven o'clock. She left the dining-room shortly after, as she was in the habit of doing. She generally went to Mrs. Pritchard's room after tea. I next heard of her about half-past nine o'clock. The prisoner came into the room and said Mrs. Taylor was taken suddenly ill, and asked me to go for Dr. Paterson. I asked what was the matter with her, and he said he thought it was apoplexy. I went for Dr. Paterson, and he came about ten minutes after. I was not present when Dr. Paterson was in the room. I saw Dr. Pritchard for a few minutes shortly after Dr. Paterson left. I asked him whether Mrs. Taylor was any better. He replied that she was not. I asked if it was apoplexy, and he said it was. The next I heard of Mrs. Taylor was the following morning. The prisoner came to my room early, and said something which at first I could not catch; but when I awoke and understood him, it was that Mrs. Taylor had died about half-past twelve o'clock

very calmly and peacefully. He told me afterwards she was unconscious for some time before she died, but that she had recovered consciousness for a few minutes immediately before her death. I left the house next day, and returned on Monday, 6th March. I saw Mrs. Pritchard that day in the drawing-room. I asked her how she felt, and she said she was pretty well. The prisoner was in the room at the time. I thought, from her appearance, that she was getting better. She seemed convalescent; but her face looked rather haggard. I saw her again about a week before her death, in the drawing-room. She seemed much about the same in health as when I had seen her before. She did not tell me anything about herself. The prisoner was not present, and she asked me to go for him, which I did. She did not say why she wanted him. I never saw Mrs. Pritchard again alive. I asked the prisoner about her generally every morning. He said she was getting better, and that he thought she was coming round. T. A. Connell

The Lord Justice-Clerk—How long did he continue to say that?—Until the day she died.

Examination resumed—He complained of being worn out by sitting up so often at night watching her, but that she had often done the same thing for him when he was ill. I understood him to mean that he did not grudge sitting up, for she had done as much for him. On the night before Mrs. Pritchard's death, about nine o'clock the prisoner gave me a doctor's prescription to get for him, and told me to go to the Glasgow Medical Hall, Elmbank Street. I went and got two phials containing a liquid preparation, which I gave to the prisoner. I did not read the prescription. [Shown No. 13.] That is the prisoner's handwriting; but I cannot be sure if it is the one he gave me. I brought the prescription back from the apothecary's, and gave it to Dr. Pritchard, along with the phials. [Shown No. 92.] This is about the size of the phial, and the colour of the stuff is the same. The prisoner, when he gave me the prescription, said it was for his wife. I was told of Mrs. Pritchard's death on the following morning by Mary M'Leod. I used to be frequently in the prisoner's consulting-room, but not for six months before Mrs. Pritchard's death. I went in when I wanted to get a book from the library. There were a few tinctures kept in a cupboard in the consulting-room. There were two cupboards, but the tinctures were kept in the one which was in the same wall as the window. When you are looking out of the window this cupboard is on your right hand. There were no tinctures or any other medicines kept elsewhere that I know of. The prisoner was not in the habit of making up medicines for his patients, to my knowledge. It was not his practice to send medicines to his patients since he came to Glasgow. I never saw him making experiments

T. A. Connell with chemicals or compounding drugs in the consulting-room or elsewhere. [Shown Nos. 19, 20, and 82.] These are three diaries in Dr. Pritchard's handwriting.

Cross-examined by Mr. Clark—I remember Mrs. Pritchard going to Edinburgh last year. I remained in Dr. Pritchard's house in Glasgow while she was in Edinburgh. I was ill in November during the time that she was away. I had sickness and cramp. I took ill first about dinner-time and vomited, and could scarcely sit up. I was ill for a fortnight after that. I was only away from the dinner-table, however, for three or four days during that time. I was ill again in February. Every morning after breakfast I was sick, and that continued about two hours every day. It was about half an hour after breakfast when the sickness came on. My illness lasted a week in the beginning of February, and then it came on again towards the latter end of that month. I cannot tell where the breakfast was prepared, nor can I say where the tea was made; but it was always poured out at table. It was brought up made, sometimes by Catherine Lattimer and sometimes by Mary M'Leod.

Re-examined by the Solicitor-General—The prisoner was in the habit of pouring out some of the tea at the table and sending it up to his wife by the servant. I have seen him once or twice go away as if to take up the tea himself. Shortly after Mrs. Taylor came to the house I was sick in the same way. That was a third attack. I never felt sick after any other meal except breakfast—and that not every day. I vomited; the sickness always produced vomiting. In November I was troubled with cramp. It was the same sort of illness in February that I had in November. It was invariably after meals. I was first taken ill at dinner-time, but after that I could not take any food without being sick. The cramp returned now and again in February, but not very often. It was generally in my hands. I was not able to account for the sickness. I mentioned it to the prisoner. He said he was afraid it was gastric typhoid. After my illness in November, whenever I was well enough to go home, I went to my father's. I never had any sickness at home.

By Mr. Clark—The prisoner was ill himself in November in the same kind of way.

By the Solicitor-General—And he was ill sometimes in February also. I cannot tell if he was as ill as I was, but he was affected in the same way.

By the Lord Justice-Clerk—Besides the sickness, vomiting, and cramp in November, I also suffered from constipation. In February I did so now and again, but not regularly.

R. J. C. King 9. Richard John Christian King, examined by Mr. Gifford—I am a medical student. I went to board with Dr. Pritchard

in the end of October last. Mrs. Pritchard seemed to be in good health then. I remember her going to Edinburgh. She was a little delicate before she left. I remember her coming back. She was pretty well when she returned; she got worse after her return. I am not sure that the prisoner ever spoke to me about her. He described her complaint as gastric fever. After her return from Edinburgh she was occasionally confined to bed. I remember Mrs. Taylor coming. Mrs. Pritchard was confined to bed then. I saw Mrs. Pritchard only once while her mother was there; that was in the drawing-room. I remember the morning after Mrs. Taylor died. I saw her that night between seven and eight. She was in the consulting-room writing letters. She appeared to be quite well. I next heard of her at ten o'clock. The prisoner told me that she was dangerously ill. I asked what was the matter, and he said it was apoplexy. I went to bed between eleven and twelve, and was awoke after twelve by one of the servants, who told me the prisoner wanted me. I got up and saw him; he asked me to go to the telegraph office and telegraph to Mr. Michael Taylor, Edinburgh, that Mrs. Taylor, his wife, was dangerously ill. The prisoner told me at that time that she was dangerously ill; he did not say that she was dead. I went and telegraphed accordingly. When I returned the prisoner asked me to go back to the office and telegraph that she was dead. He then told me that she was dead before, but that he did not want to alarm the old gentleman. After Mrs. Taylor's death I never saw Mrs. Pritchard; she was always upstairs. I remember the night before her death. I came in about eleven and went to bed. I was awoke between a quarter and half-past twelve by Mary Patterson. I rose and went into the prisoner's bedroom. He was in bed beside Mrs. Pritchard. Mrs. Pritchard was dead. The prisoner said she was not dead, and asked me to go for Dr. Paterson. I went and saw Dr. Paterson, and told him to come, and he said he would. When I came back to the house one of the servants met me, and told me that the doctor was not to come. No reason was assigned to me for his not coming. I then went down to the Victoria Hotel for Mr. Michael Taylor, of Edinburgh, Mrs. Pritchard's father, who was living there. I can't remember which of the servants it was who told me to go to the Victoria Hotel, but it was one of them. I brought Mr. Taylor up to the house. I slept in the room next to Mrs. Pritchard's. I have heard her vomiting during the night—not frequently, but more than once—five or six times. I did not hear her vomiting in the mornings.

R. J. C. King

10. Janet Hamilton, examined by the Solicitor-General— I am a dressmaker in Glasgow. I was acquainted with Mrs. Pritchard, the prisoner's wife. I was in the habit of making dresses for her, and I occasionally went to see her. I remember

J. Hamilton

J. Hamilton

being sent for to see her shortly before her death, on Wednesday, 8th March. I went about nine o'clock in the morning, but I did not see Mrs. Pritchard till later in the forenoon, when I saw her in the drawing-room. She was looking better then than when I had last seen her after her mother's death. She said she did not understand this retching which troubled her; and that if it left her alone she thought she would be all right. I asked what she was taking in the way of medicines, and she said very little. She said the retching came upon her always after food, and that she was often sick at night. She said she did not understand her illness. I had asked her what her trouble was, and she said that was what she would like to know, but that she could not account for it. She said afterwards that it was very strange that she was always well in Edinburgh and ill at home. The answer I gave her was that perhaps it was because Edinburgh was her native air. She said she did not know about that. I thought that she looked very serious. She said she did not know what was wrong with her. She said she was very anxious to know about her illness, and that she thought she would very soon get better if the retching would leave her. I understood from her that that was the only thing the matter with her.

Dr. William T. Gairdner

11. Dr. William Tennant Gairdner, examined by Mr. Gifford—I am Professor of Medicine in the University of Glasgow. I know the prisoner. I remember receiving a message requesting me to call at his house on the night between the 8th and 9th of February, I think between twelve and half-past one. I cannot come nearer the time. I had not retired for the night, as I was making preparations for a lecture next morning. The message was to come and see Mrs. Pritchard. I went immediately. I had never seen her before, so far as I know.

The Lord Justice-Clerk—Never as a patient?—No.

Mr. Gifford—You met Dr. Pritchard at the house?—Yes.

Did he take you to his wife's bedroom?—Yes.

Did he tell you before he introduced you what was the matter with her?—In general terms. He said she had been very sick, and that her stomach was not able to bear food. I think he said she had been some weeks so.

Did he say anything more?—Not just at that time, I think.

I mean before he introduced you?—I think not.

When he had introduced you, did he still continue to speak to you about her symptoms?—At intervals; but I cannot remember exactly.

How did you find Mrs. Pritchard—was she in bed?—I found her in bed, lying on her back, with a considerably flushed face, and in a state of pretty considerable excitement. She then, I think, told me herself she had been sick.

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You said that the prisoner went on to speak of her symptoms?—Yes.

Did he say anything about spasms?—He did; but I cannot remember whether I got the first information of the spasms from him or from her.

Was any opinion expressed by the prisoner as to what was the matter with her?—The only thing I recollect was after the spasms became known to me, and he then said that it was catalepsy.

Did he mention that any other medical man had seen her?—He mentioned that Dr. Cowan, of Edinburgh, had seen her.

Did he say if Dr. Cowan had ordered anything?—I think afterwards he said that Dr. Cowan had ordered stimulants, and he said that his wife had had chloroform, but whether by Dr. Cowan's orders or not I do not know.

Did he say his wife had had the stimulants?—I think so. He said she had had champagne.

You spoke to Mrs. Pritchard, I suppose?—Oh, yes.

Did she say anything about having sent for you?—Yes; she began by apologising for not having sent for me sooner. She said that Dr. Cowan was an old friend of the family, that though she had wished to send for me, she had sent for him on that account, and made a kind of apology to me for not sending for me before. I told her there was no necessity for apology, because all that she had done was perfectly natural and right.

Did she say anything about her own brother?—Yes; she said she was aware that I was a class-fellow of her brother, Dr. Michael Taylor, of Penrith.

Did she seem to know that her brother was a college friend of yours?—Yes.

You had some other conversation with her about her symptoms, and how she felt?—Yes; we had a good deal of general conversation about her symptoms.

What state did you find her in?—She had been sick. I found her to a certain extent exhausted, but not by any means extremely so. She had a pretty good pulse. There was nothing in her symptoms indicating immediate danger; and the most remarkable thing about her was the violent state of mental excitement she was in, and the spasms of the hands.

The Lord Justice-Clerk—There was no immediate danger from exhaustion?—I thought not, from the state of the pulse and the general aspect of the patient.

But the most striking symptom was the excitement and the spasms in her hands, of which she told you?—Yes.

Mr. Gifford—Did you yourself observe the spasms in the hands?—I did. She held her hands outside the bed-clothes above her head, and I saw that the wrists were turned in, and

Dr. William T. Gairdner

the thumbs somewhat inverted towards the wrists—a very peculiar state of the hand. I think it was owing to her mentioning this that Dr. Pritchard used the word catalepsy.

Did you form any opinion as to the cause of her excitement?—I thought that she was intoxicated.

You attributed it to the stimulants?—I did. I attributed it to the combination of champagne and chloroform.

Did you make any further examination?—Yes; I then withdrew to the fire in order to warm my hands, with the view of making an examination of her person, and I had no sooner moved towards the fire than she began to scream out at the top of her voice, "Oh, you cruel, cruel man," or something like that, "you unfeeling man; don't leave me"; and I returned to the bed, and said I was not going to leave her. I then returned to the fire, and was warming my hands, and while I was doing so she got into a state of most violent hysterical excitement, screaming out various exclamations, which, after a little while, I ceased to take any notice of, because I thought she was not responsible for them, being, as I considered, temporarily intoxicated. The general purport of them was to the effect that I was extremely unfeeling in leaving her alone and going to the fireside. I returned to her, and examined her person; I took up the bed-clothes and examined the belly, and I asked particularly both her and Dr. Pritchard if there was any chance of her being pregnant—pregnancy being a frequent cause of vomiting. I found there was none; and then, after various other inquiries, and feeling her pulse, looking at the state of her skin, and so on, I came to the conclusion that she was not in a state to give any evidence at all about her own previous history that night, and I gave the orders I thought necessary, and left her.

Did you order that the stimulants should be discontinued?—Yes.

The Lord Justice-Clerk—To whom did you state that?—To Dr. Pritchard and also to her; but I repeated it more emphatically to Dr. Pritchard than to her, because I told him very decidedly that I thought this was very improper treatment, and that she was to get no stimulants whatever until I saw her again.

Mr. Gifford—From what you observed, did you see any symptoms of catalepsy in her?—No.

You formed a distinct opinion that there was no catalepsy?—I may explain that I hardly know what catalepsy is. It is not a disease within ordinary medical experience at all. Most of what we know of it is from books; and what is written about it is to a great extent apocryphal; therefore I don't presume to be an authority upon catalepsy.

Do you remember of her using any expression while you

were there, to you or to any one, about hypocrites?—I cannot say. She used a great deal of language in her hysterical state of which I took no notice, and, in fact, deliberately and intentionally ignored.

The Lord Justice-Clerk—You intentionally paid no attention to it?—Yes; I thought it was as well to show her that I did not wish to give attention to such expressions.

Were any of the servants present?—I have great difficulty in remembering that. My attention was concentrated upon Mrs. Pritchard. I have some recollection of Catherine Lattimer, but none at all of the other servant, and she, I think, I saw chiefly at the following visit.

You left that night?—Yes.

Did you say anything to Dr. Pritchard before you left?—I spoke to him in strong terms about the impropriety of this practice of giving stimulants, and said it was very bad treatment. He said it had been ordered by Dr. Cowan. He rather seemed to indicate that he concurred with me in disapproving of the champagne, but asked me if she was to get no more chloroform. I said, "No, no stimulants and no medicine till I see her again."

Did you arrange when you were to see her again?—Yes; I was to see her the same day of which this was the morning. I called between twelve and one o'clock.

That was the 9th February?—Yes.

Did you see Dr. Pritchard?—I did. He said Mrs. Pritchard was better, and quite quiet.

Did you go to Mrs. Pritchard's bedroom?—We went to her bedroom, and I found her quiet.

Free from fever?—Yes.

Had you any conversation with her?—Yes; in general terms I assured myself that she felt better, and that she had not vomited since I saw her; but she still had the remains of the spasms in her hands.

The Lord Justice-Clerk—That was about twelve hours after your former visit?—Yes.

Mr. Gifford—Dr. Pritchard was there the whole time?—He was.

How long were you there?—About ten minutes. I directed that she was still to get no stimulants and no medicine, and that when she required food she was to get a boiled egg plain, and milk and bread, but nothing else; and I told her that my object was to make her diet as simple as possible, in order that there might be no possiblity of her taking anything that would disagree with her.

That is, nothing that would produce sickness or sit heavy on her stomach?—Yes: I think I told her that if her stomach

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had fair play it would digest milk and the simple food I indicated.

Did you say anything more to Dr. Pritchard?—I simply repeated generally what I had said to her.

The Lord Justice-Clerk—You said if her stomach had fair play it would digest milk?—I do not wish it to be understood that I used these words. I do not remember the exact words; but I endeavoured to impress her with the idea that her stomach would digest a simple thing when it could not digest complicated things; and that she must not load it with medicine and a variety of food, but must go back to perfectly simple food.

Mr. Gifford—Did you form any opinion as to what was the matter with her?—I was very much puzzled. I thought she was intoxicated the evening before—drunk, in fact; but beyond that I formed no very decided opinion.

Did you say, on leaving on the second visit, that you would return again?—I do not think I fixed any time.

Did you think her case required serious and constant attention?—Yes; my impression was that if I had been a general practitioner, in attendance upon her, I should probably have seen her every day, or twice a day; but there was a doctor in the house, and my habit is to act as a consulting physician.

The Lord Justice-Clerk—You considered that you had been called in by the prisoner as a consulting physician?—Yes.

Mr. Gifford—This was upon the 9th. Did you return next day?—No; I never saw her again.

The Lord Justice-Clerk—Were you ever sent for again?—No; I had to leave town for a distant engagement on the Friday, and before leaving town I wrote a note or sent a message to ascertain how Mrs. Pritchard was, and received for answer that she was better. I then left for my engagement, and returned on the Saturday afternoon. On my return there was a patient waiting for me; and while I was engaged with the patient I believe Dr. Pritchard called and left word that his wife was better, and that I need not call.

Mr. Gifford—Did you write to your friend Dr. Taylor, in Penrith, about the case?—Yes; I think it was on the 9th February, after my second visit. My reason for doing so was that I was puzzled, and that I thought the practice bad in so far as stimulants were concerned at least, and that I wished to be backed up and aided by his assistance.

Were there any symptoms of gastric fever upon Mrs. Pritchard so far as you observed?—I did not think there was any fever at all.

Cross-examined by Mr. Clark—You said you did not understand what was the meaning of the word catalepsy which the prisoner used?—It was not I who applied the word to the case.

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I do not say it was, but I thought you said you did not understand the meaning of the word as applied?—No; it seemed to me to have no application to the case.

Had you known the prisoner before?—Yes; I think for one or two years. My connection with him has been chiefly seeing a few cases with him in consultation.

The Lord Justice-Clerk—You knew him as a medical man for a year or two previous?—Yes.

Mr. Clark—Was his nomenclature correct?—In this case?

No; in general. Had he any peculiarity in the way in which he spoke of disease?—Well, I can't answer that question.

Did you not observe anything peculiar in his nomenclature of disease?—Perhaps it was occasionally a little at random.

What was it you observed in him?—I have no distinct impression.

You say it was perhaps a little at random. What do you mean by that?—I mean that I do not think he was a model of accuracy, wisdom, and caution in applying names to things.

Well, without being a model of wisdom, accuracy, and caution, what was the way in which he spoke of disease?—I have said before that there was nothing that caught my attention. I think he was rather a careless man in his ideas.

Was that through ignorance, do you suppose?—I cannot tell.

Was he a skilful man in his profession?—I had not enough to do with him to form an opinion.

Tell me what symptoms you observed in Mrs. Pritchard when you saw her on the second day?—I think the chief symptom was the remains of the spasm.

What was the state of her pulse?—It was pretty quiet.

What was the state of her tongue?—I have no distinct impression about the state of her tongue. Her colour was good, but rather high.

Was she very prostrate?—I think not.

You said you wrote to her brother after you saw her the first night?—Yes.

Did you indicate to him that there had been anything more than improper treatment—that there had been any foul play?

Witness—You mean poison?

Mr. Clark—Yes.

Witness—Certainly not.

Dr. James Paterson

12. Dr. James Paterson, examined by the Solicitor-General—I am a doctor of medicine in Glasgow, and have been in practice there upwards of thirty years. I was formerly Professor of Midwifery in the Andersonian University. I resigned about two years ago. I reside at No. 6 Windsor Place, Sauchiehall Street, a division of the street in which Dr. Pritchard

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lived. I remember being called to Dr. Pritchard's house on Friday evening, the 24th February.

Was that the first time that you had been called there?—The first time that I ever crossed his threshold.

What time of night were you called?—Between half-past ten and a quarter to eleven.

Did you see Dr. Pritchard?—I met him in the lobby or hall of his own house.

Tell us, if you please, what he said to you?—He conducted me into his consulting-room on the first floor, and then he told me that his mother-in-law, while in the act of writing a letter, had suddenly been taken ill, had fallen off her chair upon the floor, and had been conveyed upstairs to the bedroom.

Did he say how long before your visit this happened?—I think he said about half an hour or an hour before I came. I asked if he could assign any reason for the suddenness of the attack. He said his mother-in-law and Mrs. Pritchard had been partaking of some bitter beer, as I understood, for supper, soon after which they both became sick and vomited, and both complained that the beer was much more bitter to the taste than usual.

You are telling us now what he said to you on your first arrival in the consulting-room, where he and you were alone together?—I am. He said that they could not have taken more than one-third part of a pint each, because there was still some remaining in the bottle. I said I did not think it possible that either Allsopp's or Bass's beer could produce such an effect, and that the attack must depend upon some other cause.

Why did you mention Allsopp's and Bass's beer?—These were the only two that struck my mind at the moment.

Did he point to the beer bottle on the table?—Afterwards, but not at this time. I then asked him in regard to the previous state of his mother-in-law's health, and particularly with reference to her social habits, when, by a particular insinuation, he led me distinctly to understand that she was in the habit of taking a drop occasionally.

The Lord Justice-Clerk—Drinking spirits, you mean?—Yes.

The Solicitor-General—What else did he say?—He stated also that Mrs. Pritchard had been very poorly for a long time past with gastric fever; and that some days previously he had telegraphed for his mother-in-law to come through to attend to her in her illness. We then went upstairs to the bedroom. On entering, I observed Mrs. Taylor on the outside of the bed next to me. She was lying on her right side with all her clothes on, and on her head a cap with a small artificial flower. She had all the appearance of having had a sudden seizure. Mrs. Pritchard, in her nightdress, with her hair very much dis-

hevelled, was in the same bed, but underneath the bed-clothes, and sitting up immediately beyond her mother. On examining Mrs. Taylor, my impression was that she had previously been in good health. Dr. James Paterson

The Lord Justice-Clerk—Was she dead or living?—She was living at this time.

The Solicitor-General—She appeared to be a healthy-looking old lady?—I should say so. She seemed rather above the ordinary size, good-looking, well-formed, altogether a very superior-looking person for her station of life, and certainly not having the slightest appearance of being addicted to the use of spirituous or intoxicating liquors. On examination, her face was rather pale, but the expression was calm and placid. The eyelids were partially closed, the lips were rather livid, the breathing slow and laborious. The skin was cool and covered with a clammy perspiration. The pulse was almost imperceptible, and she seemed to me to be perfectly unconscious. On opening the eyelids I found both pupils very much contracted. From those symptoms, and judging from her general appearance, my conviction was that she was under the influence of opium, or some other powerful narcotic, and I at once pronounced my opinion that she was dying.

You stated that to Dr. Pritchard, who was beside you all the time?—Yes, decidedly. On my doing so Pritchard said something in an undertone of voice, being apparently unwilling that my opinion should be heard by the ladies, which was quite natural and common. We retired a little from the bedside, near to the fireplace, and I then stated distinctly that she was dying. Pritchard said she had frequently had attacks of a similar kind before, but never one so severe. I said that nothing we could do would have the slightest effect, but that, as a last resource, we might try mustard poultices to the soles of the feet, the calves of the legs, and the inside of the thighs, and as quickly as possible administer a strong turpentine enema. Pritchard at once proceeded to prepare the enema, and said he had given her one a little before, in which he had administered a glass of brandy. The old lady lay apparently comatose; but on being roused a little, and the head and shoulders slightly elevated, a degree of consciousness ensued, and the pulse became perceptible at the wrist.

Was that rousing the first thing you had done to test whether she was really conscious or not?—It was.

And what you meant by saying that she was seemingly unconscious before was that she was not then manifesting consciousness?—Yes.

The Lord Justice-Clerk—All the symptoms indicated unconsciousness, did they not?—Yes; I directed Pritchard's attention to the pulse, and he then clapped the old lady on the shoulder

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and said, "You are getting better, darling." I looked at him, and shook my head ominously, as much as to say, "Never in this world."

The Solicitor-General—She gave no promise to you of recovering?—None. A slight fit of retching now came on, and she vomited a small quantity of frothy mucus, immediately after which the coma returned—the breathing became more oppressed and laboured, and the alvine evacuations were passed involuntarily. I then concluded that the case was utterly hopeless, but Pritchard administered the enema. I afterwards left the room and went downstairs, accompanied by Pritchard, to the consulting-room. I repeated my opinion that she was in a state of narcotism.

The Lord Justice-Clerk—That is to say, under the influence of opium or some narcotic?—Yes.

The Solicitor-General—Narcotism was the expression you used?—Yes; Pritchard then said the old lady was in the habit of regularly taking Battley's Sedative Solution, and that she had a few days before purchased not less than a half-pound bottle of the medicine, and that he had no doubt, or it was very likely, that she might have taken a good swig at it.

That was his expression?—Yes; there was little more said at that time in regard to the state of Mrs. Taylor.

You know Battley's Solution?—I know it, but I very seldom use it.

Had Mrs. Taylor the appearance of a lady who had been in the practice of using such a medicine?—My impression was that she was not what is called an opium eater, or one who used opium to any great extent. She presented no appearance of that.

Would you now tell us what you observed of Mrs. Pritchard?—While attending to Mrs. Taylor, I was very much struck at the same time with the appearance of Mrs. Pritchard. She seemed exceedingly weak and exhausted. Her features were sharp and thin, with a high, hectic flush on her cheeks, and her voice was very weak and peculiar—in fact, very much resembling the voice of a person verging into the collapsed stage of cholera. The expression of her countenance conveyed to me the idea of a semi-imbecile person. At first I was inclined to attribute her appearance to the recent severe attack of gastric fever, of which I was told by the prisoner, her symptoms being aggravated, of course, by the consternation and grief naturally caused by the alarming condition of her mother. At the same time, I could not banish from my mind the idea, or rather the conviction, that her symptoms betokened that she was under the depressing influence of antimony.

You mean that that impression or conviction came upon you at the time while in her presence, and that you could not get

quit of it?—Certainly. I did not put a single question to Mrs. Pritchard. Dr. James Paterson

The Lord Justice-Clerk—The impression was created entirely by her appearance?—Yes; and the general symptoms of the case. I then left, and went home about half-past eleven.

The Solicitor-General—Were you sent for again in the course of that morning about one o'clock, and did you afterwards get another message not to come because Mrs. Taylor was dead?—A little before one o'clock my door bell was rung. I was in bed, but Mrs. Paterson happened to be sitting up. She opened the door, and a girl asked me to come directly and see Mrs. Taylor. I refused to go, because I was certain that I could be of no service; and, as I was very much fatigued with the previous day's work, I was very unwilling to rise; but I sent my compliments to Pritchard, saying that if he really thought I could be of use he was to send back word, and I would then rise and visit her.

Your house was only a short distance from his in the same street?—195 yards.

Did any message come back?—No message came back, and I did not go; but about ten o'clock on Saturday morning, the 25th, an elderly gentlemen called upon me.

Was that Mr. Taylor, the husband of the old lady?—I afterwards learned that it was.

Did he inform you that she was dead?—He came for the death certificate.

You refused to give a certificate?—I said I was surprised that Pritchard had sent for a certificate, and that, as a medical practitioner, he should have known that it was not given to the friends, but to the district registrar.

Were you afterwards applied to by the registrar?—On Friday, 3rd March, I received through the post-office a schedule from the registrar, in which I was requested to fill in the cause of Mrs. Taylor's death, and duration of her disease.

You refused to do that?—I did; and sent it back with a note accompanying it, directing his attention to the circumstance.

When did you see the prisoner after that?—On Wednesday forenoon, 1st March. I met him accidentally in Sauchiehall Street, near my own house. On coming up to me, he said I had been correct in my opinion with regard to his poor mother-in-law, and he added that he would feel obliged if I would visit Mrs. Pritchard next day at eleven o'clock, as he was going to Edinburgh to attend Mrs. Taylor's funeral. I at once agreed to his request.

And did you go?—Yes; on Thursday, 2nd March, about eleven o'clock in the forenoon.

Did you see Mrs. Pritchard?—Yes; she was in bed. She was still very weak and prostrated, and in a weak voice she

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expressed her satisfaction and her gratitude at my visit. Then, in a very earnest manner she asked me if I really thought that her mother was dying when I first saw her. I said, most decidedly I did, and that I had told Pritchard so. She then clasped her hands, looked up, and feebly exclaimed, "Good God, is it possible?" and burst into a flood of tears. I put some questions as to the previous state of her mother's health, and especially if she was habitually addicted to the use of Battley's Sedative Solution. She told me that her mother's health generally was good, but that she suffered occasionally from what she called neuralgic headaches, and for relief of these attacks she did take a little of Battley's Sedative Solution; but she added that it could not be said that she was in the habitual use of that medicine. I then questioned her with regard to herself. She told me that for a considerable time past she had suffered very much from sickness, retching, and vomiting, with severe pains in the stomach and throughout the bowels, accompanied with purgings, great heat and uneasiness about the mouth and throat, and a constant, urgent thirst. I examined her tongue. It was very foul, and of a lightish brown colour. Her features were still very sharp and deeply flushed. Her pulse was weak, contracted, and very rapid. Her skin was moist, but defective in animal heat, and altogether she presented an appearance of great general prostration. Her eyes were watery, but clear and intelligent. I prescribed for her small quantities, at short intervals, of champagne and brandy to recruit her strength; small pieces of ice occasionally to relieve the thirst and irritability of the stomach. If she tired of these, I said, she should have recourse to granulated citrate of magnesia as a cooling, effervescing drink, and have a sinapism applied over the pit of the stomach. So far they were verbal directions which I gave her. I also recommended small quantities, at frequent intervals, of easily digested, nutritious food, such as beef-tea, calf-foot jelly, chicken soup, arrowroot, and so on. I then wrote a prescription for twelve grains of calomel, twenty-four of blue or grey powder, twelve of powdered ipecacuanha, and six grains of aromatic powder, the whole to be carefully mixed, and divided into six equal parts—one powder to be taken every day. That prescription was with the view of allaying the biliary disturbance and soothing the mucous membrane of the alimentary canal.

Did you give the prescription to herself?—I did, and told her to show it to Pritchard when he came home in the evening, and to tell him what I had ordered. I never saw Mrs. Pritchard again until within four or five hours of her death.

Between the visit of which you have given us an account and the last time you saw her before her death, did you see

her husband, the prisoner?—I did. On Sabbath evening, the 5th March, about nine o'clock, he called at my house. Dr. James Paterson

What did he say?—He told me his wife had been much relieved by the medicines and treatment I had ordered; that she greatly relished the small quantities of champagne and brandy, and felt refreshed by the cooling, effervescing draught and the ice. He said that she was still very weak and the stomach still irritable. I recommended the continuance of stimulants and nourishment, and most particular attention to the state of the stomach and bowels. Nothing more passed at that interview.

Then the next occasion you have to speak of is that visit a few hours before her death?—On the 17th of March—the Friday—Pritchard called upon me personally, I think about a quarter to eight o'clock in the evening, and requested me to go with him to see Mrs. Pritchard.

Did you go?—I did.

And went up to the bedroom and saw the lady?—Yes; Mrs. Pritchard was in bed, in a sitting position, supported by pillows. I was very much struck with her terribly altered appearance. She seemed quite conscious. I went up to her bedside, and she caught my hand, and I could see a half-smile of recognition upon her countenance. She very soon began to mutter about having been vomiting. Pritchard was standing beside me, and he volunteered the observation that she had not been vomiting —that she was only raving. She complained of great thirst, and Pritchard poured some water out of a caraffe into a tumbler, and gave it to her to drink, saying, "Here is some nice, cold water, darling." She drank it. I observed her countenance very much changed from what it had been when I last saw her. There was a peculiarly wild expression; the eyes were of a fiery red and sunken. Her cheeks were hollow, sharp, pinched-looking, and still much flushed. Her pulse was very weak and exceedingly rapid. Her tongue was of a darkish brown colour, very foul; and she immediately began to grasp with her hand, as if to catch at some imaginary object on the bed-clothes. She muttered something about the clock; and Pritchard said he thought she referred to the clock on the drawing-room mantelpiece. There was no clock in the bedroom. I expressed my surprise at the great and alarming change, and I asked Pritchard how long she had been entirely confined to bed. He said only since morning; that yesterday she was in the drawing-room amusing herself with the children. I again expressed surprise at her alarming condition. He said she had not slept for four or five days or nights. I then said we must endeavour to do something to relieve her, and, if possible, procure sleep. We left the bedroom and went downstairs, and I then prescribed thirty drops of solution of morphia,

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thirty drops of ipecacuanha wine, five or ten drops of chlorodyne, and an ounce of cinnamon water. This was to be repeated in four hours if the first draught did not give relief.

That is, did not procure sleep?—Quite so.

Did you write the prescription?—I did not. Pritchard wrote the prescription at my dictation.

Did you ask him to write it?—No; I said it was unnecessary to write it; it was so simple he might make it up himself. I was anxious to save time and give relief as soon as possible.

What did he say to that?—He said he kept no medicines in the house except chloroform and Battley's Sedative Solution. I asked if he did not keep a small stock in order to meet any emergency, and particularly for night work, and he said he did not.

Did that strike you as strange?—It certainly did.

The Lord Justice-Clerk—You mean that it is not a usual thing for a medical practitioner?—Yes; medical men in extensive practice must keep medicines in stock, especially if they have much night work to go through.

The Solicitor-General—And he wrote it to your dictation?—So far as I know.

You did not look at it?—No; I assumed he would write it correctly.

[Shown No. 13]—Is that in his handwriting?—I am sure it is.

Does that conform to what you told him to write?—Yes.

What next occurred?—I then left the house, and I heard no more till about one o'clock on the following morning, when my door bell was loudly rung by a young man, who requested me to go to Mrs. Pritchard immediately, as she had become much worse, and was thought to be dying. I proceeded to dress myself at once. In less than three minutes after that my door bell was again rung, this time by a servant girl, and when I opened the door she said, "You need not come; Mrs. Pritchard is dead."

You did not go to the house again?—No.

You have mentioned to us the only visits you ever paid and all you saw of those two ladies?—Certainly; I never crossed the threshold of the house except on these occasions.

Did you ever say to the prisoner that you thought his wife, Mrs. Pritchard, had taken too much wine?—I never did.

And you have mentioned to us quite accurately everything you ever ordered for her?—Yes.

You are quite sure you never recommended Dublin stout for her?—No; I never did.

Cross-examined by Mr. Clark—You mentioned that Mrs. Taylor had not the appearance of having been in the habit of using opium?—That is my candid opinion.

Have you had experience in cases of that kind?—I have.

Dr. James Paterson

And Mrs. Taylor did not resemble any such patient?—I think not.

What led you to believe that she was not addicted to the use of opium?—If a person is in the habit of taking opium to any great extent, you find that, as a rule, they are not of good colour. They are thin in features and hollow about the eyes—in fact, not of a healthy appearance generally.

And Mrs. Taylor, being stout and healthy-looking, so far as you could judge, you concluded that she was not addicted to the use of opium?—I do not say that she never took opium at all, but merely that she was not an habitual consumer of opium.

Do you mean that she did not take it constantly, though she might take it by way of medicine?—That is what I meant.

And when Dr. Pritchard said to you that she was in use to take opium, you thought what he was saying was not true?—That was my impression after I had seen the patient; I took it for granted before I did see her.

After you saw the patient, you thought the statement was not consistent with fact?—I thought so.

Now, when you were with Mrs. Taylor that evening, did you examine attentively the condition of Mrs. Pritchard?—I only glanced at her—I did not put a question to her. I formed a diagnosis from the symptoms that were present.

By merely looking at her?—Yes; just as I am in the habit of forming an opinion of any patient I see for the first time.

You did not examine her at that time as a patient, did you?—Certainly not.

But you formed the conviction that she was under the influence of antimony?—Yes.

Had you ever seen before a case of poisoning by antimony?—Yes.

How many?—Perhaps two or three.

What were they?—Young children.

Did you ever see a case of poisoning by antimony in the case of an adult?—No.

I understand, when you translate the words "depressing influence of antimony," you mean that she was being poisoned by antimony?—I was under the impression that she had been getting antimony for some time past. I had nothing to judge from but her appearance.

Do you mean she was getting antimony medicinally, or for some other purpose?—Of course, I could form no opinion as to how or by what means she was getting antimony.

Was the condition you have described one to which a patient could be brought by the medicinal use of antimony?—Not exactly medicinal use, but a long-continued use; a judicious

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practitioner would not carry it to such an extent as to produce debility and prostration.

Did you mean to convey to us that she had been taking antimony medicinally, or that she was being poisoned by antimony?—My impression was that she was being poisoned by antimony.

And you formed that conviction by simply looking at her?—Yes; judging from symptomatology—the science of signs of disease.

As you thought Mrs. Pritchard was suffering in that way from antimony, did you ever go back to see her again?—I did not, and I believe that I never would have been called back again if I had not met Pritchard accidentally on the street.

Why did you not go back?—Because she was not my patient. I had nothing to do with her.

Then, though you saw a person suffering from what you believed to be poisoning by antimony, you did not think it worth your while to go near her again?—It was not my duty. I had no right to interfere in any family without being invited.

Dr. Paterson, is it not your duty to look after a fellow-creature who, you believe, is being poisoned by antimony?—There was another doctor in the house. I did the best I could by apprising the registrar.

Did you tell Dr. Pritchard?—I did not. Had I been called in consultation with another medical man, I should certainly have considered it my duty to have stated distinctly my medical opinion.

But you stood upon your dignity, and did not go back to see what you believed to be a case of poisoning?—I had no right.

No right?—I had no power to do it.

No power?—I was under no obligation.

You were under no obligation to go back to see a person whom you believed was being poisoned with antimony?—I took what steps I could to prevent any further administration of antimony.

By never going back to see her?—No; by refusing to certify the death. Had there been a *post-mortem* examination of Mrs. Taylor's body, I believe that in all probability the drugging with antimony would have gone no further, at least at that time.

But still it comes to this, that although you had formed that impression you never went near her again until you were called in by Dr. Pritchard?—Yes.

Well, did you find her labouring under the same symptoms or similar symptoms to those you observed when you were with her on the 2nd March?—Yes.

You still believed her to be suffering under poisoning by antimony?—I did; and I prescribed accordingly.

Evidence for Prosecution.

Dr. James Paterson

Did you see her alone on that occasion?—I did.

Did you give her any indication of what you thought was her ailment?—I did not mention antimony to her.

Did you mention poison to her?—I did not.

Did you give her any idea that she was labouring under anything other than natural disease?—I did not.

Why?—Because the treatment I prescribed for her, provided she got nothing else, was quite sufficient, in my opinion, to have very soon brought her round, taking it for granted that my advice was carefully acted up to.

It was Dr. Pritchard who asked you to visit his wife upon that occasion?—Yes.

Did you mention to him your opinion as to his wife being poisoned by antimony?—I did not. It would not have been a very safe matter to do that.

Why did you not visit her the next day and see that your advice had been acted on?—I did not consider at all, sir, that she was my patient, and I had no right or title to go back and visit her. I would have considered myself intruding upon the family had I done so.

You had been asked to visit her by the prisoner himself on the 1st March?—I believe that if I had not met him accidentally, I would not have been asked.

You have no right to say that, doctor.—Well, I understood that visit more in the light of a friendly call of condolence under painful circumstances, than as a medical visit.

Had you been intimate with Mrs. Pritchard before?—No.

Why did you call to pay a visit of condolence to a person you never saw before?—It was at Pritchard's request.

To condole with her?—I could conceive of nothing else.

What was the use of calling on a person whom you did not know, to condole with her?—I had seen her at her mother's deathbed.

Were you not called in as a medical man?—I do not think so. I understood Pritchard was attending her himself; that I was only to call during the day, and that when he came back in the evening I had nothing more to do with the case.

But when you saw something so specially the matter, why did you not call back?—Simply because it was none of my business; I did not consider it my duty. She had her own husband there—himself a medical man.

Having been in a house where you thought there was poisoning going on, you did not consider it your duty to go back?—I had discharged my duty, so far as I thought incumbent upon me.

By prescribing certain things, and not knowing whether the prescription was followed?—In any case where a consultation

Dr. James Paterson

is held, the consulting physician has no right to go back to see the patient.

Then it was the dignity of your profession that prevented you from going back?—It is the etiquette of our profession. That was one reason why I did not go back. I did not say it was the only one. In any case where I had been called in for consultation, were I to go back, it would be a breach of the etiquette of my profession.

You said you wrote to the registrar. Did you write first, or did you get a letter from the registrar before you wrote to him?—I got the schedule sent to me in the first place.

That was about Mrs. Taylor?—Yes; I got no notice with regard to Mrs. Pritchard.

Re-examined by the Solicitor-General—It was to visit Mrs. Taylor, who was thought to be very ill upon the 24th February, that you were called in?—Yes; that was the only occasion I was called in.

You were not consulted about Mrs. Pritchard at all?—No.

Was your meeting with Dr. Pritchard accidental?—Purely accidental.

What time of day was it?—About eleven o'clock in the forenoon; he told me that he was going from home, and would be obliged if I would call and see his wife next day.

You had no reason to suppose, and do not suppose, that he was coming for you?—Certainly not.

And it was, therefore, from your accidentally meeting him that day, and his asking you to call at eleven o'clock the next, that you thought it was an accidental invitation?—Purely.

You said that it might not have been safe for you to communicate your suspicions to Dr. Pritchard himself?—It would not have been very natural, certainly.

You mean that your suspicions concerned himself?—I would rather not answer that question.

Re-cross-examined by Mr. Clark—You did not communicate your suspicions to any of Dr. Pritchard's family?—No.

Nor the Taylor family?—I never saw any of the Taylor family, unless Mr. Taylor himself, when he came for the certificate.

The Solicitor-General—You told us that you wrote to the registrar, Mr. Struthers?—I did.

That letter has been destroyed?—I know the letter *verbatim*. I wrote it very guardedly.

Mr. Clark—Is there a copy in existence?

The Solicitor-General—I have a copy taken from the witness's dictation.

The Lord Justice-Clerk—You must have the destruction of it proved.

The Solicitor-General—I shall do so now.

[The witness was then removed.]

Evidence for Prosecution.

13. James Struthers, examined by the Solicitor-General— J. Struthers
I am registrar of deaths for the Blythswood district in Glasgow. The prisoner's house was in that district. I received intimation in the usual way of the death of Mrs. Taylor in his house on the 25th February, between twelve and half-past twelve in the forenoon. It was given by Mr. Taylor, her husband. I asked him who was the medical attendant. He said Dr. Pritchard and Dr. Paterson. He mentioned that Dr. Paterson had been called in shortly before her death, and I asked him if I might send to Dr. Paterson, as I did not consider him (Dr. Pritchard) as the medical attendant. He said he would prefer I should send to Dr. Paterson for the certificate. I accordingly sent Dr. Paterson the usual printed form of the Registrar-General with blanks to be filled up. This was on the Thursday, the 2nd March. I got the certificate returned blank, with a note. I am sorry to say that the note was not kept. It recommended me to apply to Dr. Pritchard, which I did, and I afterwards got a certificate from Dr. Pritchard, which certified that the primary cause of death was paralysis, the duration of which was twelve hours, and the secondary cause was apoplexy, the duration of which was one hour. Dr. Pritchard got a similar schedule when he came to register the death of Mrs. Pritchard upon Monday, the 20th March, at ten o'clock forenoon. At the time he called he signed the entry in the register, and gave me the certificate, which stated that the primary disease and cause of death was gastric fever, the duration of which was two months.

Dr. James Paterson, recalled, examined by the Solicitor-General—State to us the terms of the letter, as well as your memory serves you, which you sent to the registrar.—The letter was dated No. 6 Windsor Place, 4th March, 1865, and was as follows:—"Dear Sir,—I am surprised that I am called on to certify *the cause of death* in this case. I only saw the person for a few minutes a very short period before her death. She seemed to be under some narcotic; but Dr. Pritchard, who was present from the first moment of the illness until death occurred, and which happened in his own house, may certify the cause. The death was certainly sudden, unexpected, and to me mysterious." Then followed "I am, dear Sir," &c., and I signed my name. I rendered emphatic the words "the cause of death," by having them underlined. Dr. James Paterson

Cross-examined by Mr. Clark—That was the whole letter?—I believe so, *verbatim et literatim*. There was no postscript.

Was that letter sent off on the date it bore?—I sent it off that day through the post-office, directed to James Struthers, registrar.

When I was asking you whether you had taken any means

Dr. James Paterson

for the protection of Mrs. Pritchard, this was the communication to which you referred?—Yes.

And the only communication you referred to?—The only communication, and I had three motives for making it.

Never mind the motives, but you say this was the only communication?—The only communication.

Mrs. Pritchard was not mentioned in it?—No.

You did not make any communication whatever to any one of Mrs. Pritchard's family?—No.

Nor to any one?—I spoke of the matter in my own family; that was all.

The Lord Justice-Clerk—In answer to a question from the prisoner's counsel, I think you stated that your impression when you first saw Mrs. Pritchard, on 24th February, and afterwards when you saw her again, on 2nd March, was that she was being poisoned by antimony?—That was what I said.

Do you mean that you believed that some person was engaged in administering antimony to her for the purpose of procuring her death?—Yes; that was my meaning.

Dr. James M. Cowan

14. Dr. James Moffat Cowan, examined by Mr. Gifford—I am a doctor of medicine in Edinburgh. I have not been in practice for several years. I was a relative of the late Mrs. Pritchard. We were second cousins. I remember getting a letter from the prisoner in February last, I think on the 6th. I have not the letter now. I unfortunately destroyed it. The import of it was that Mrs. Pritchard had been ailing for some time, and that he (Dr. Pritchard) was becoming very anxious about her case. He wished to call in another medical man in Glasgow. He wished me to come through and see her. I went to Glasgow on the 7th.

Did you go to Dr. Pritchard's house?—Yes.

When did you reach there?—Between four and five o'clock.

Where did you find Mrs. Pritchard?—She came downstairs from the bedroom to the drawing-room to see me there.

She met you in the drawing-room?—Yes.

Was Mrs. Taylor there at that time?—No.

You know that she went afterwards?—At my desire she went afterwards.

Did you see the prisoner before you saw Mrs. Pritchard?—He met me in the lobby, and I inquired after Mrs. Pritchard, and he said she was very much better that day, and that she would be down to see me in the course of a few minutes.

When you saw Mrs. Pritchard in the drawing-room, how did you find her?—I found her very much better than I expected.

Did you put questions to her as to what her symptoms were?—Yes; she said she had been troubled with considerable

irritability of the stomach, that she could not retain food, and had been vomiting for some time back. Dr. James M. Cowan

Did you put what questions you required in order to enable you to judge as a medical man?—Well, I did not go exactly as a medical man; I went more as an old friend, but I did ask one or two questions.

Then what did you say or do?—In the first place, I saw she had erred in coming downstairs, and I ordered the application of a mustard poultice to her stomach, and if there was much prostration I advised small quantities of champagne, with ice. The prisoner was present during the whole interview.

Did you remain over night?—I did.

You dined there, I suppose?—I did.

Did anything occur in the evening about Mrs. Pritchard?—While I was sitting in the dining-room with the children, Dr. Pritchard came down from her bedroom and told me that Mrs. Pritchard had been vomiting again, and requested me to accompany him to the bedroom to see her, which I did.

You saw her?—Yes; and she told me she had again been vomiting. She complained greatly of feeling a desire for food, and yet she could not retain it. I proposed to administer beef-tea injections to see if that would do any good.

Was she in bed when you left her?—She was in bed at that time.

Did you see her next morning?—I did; in her own bedroom.

Was this before or after breakfast?—It would be the first thing in the morning.

How did you find her?—Much the same as on the previous night.

Did you return to Edinburgh that evening?—Yes; I stayed in Glasgow during the day.

Did you see her that day again?—Yes; I saw her when I left, but nothing particular occurred that made any impression upon me.

The Lord Justice-Clerk—You went back to Edinburgh on the day after you went to Glasgow?—I did.

Mr. Gifford—Was it you who took the message to Mrs. Taylor to go to Glasgow?—I did.

Who gave you the message?—Well, it was Mrs. Pritchard's desire that her mother should come through and attend to her. It was my proposal partly, and she acceded to it.

You suggested it?—Yes; there was a large family, and I thought she required undivided attention.

You saw Mrs. Taylor?—Yes; and she went next day.

Cross-examined by Mr. Clark—You knew Dr. and Mrs. Pritchard well?—Very intimately.

During the whole time of their married life?—Yes.

Dr. James M. Cowan

Did they live happily together?—Exceedingly so.

Down to the time Mrs. Pritchard died?—To the last moment I saw her.

When was the last time you saw her?—I saw Mrs. Pritchard at the time of Mrs. Taylor's death.

You never heard of any disagreement whatever between them?—The very reverse.

And they appeared to you to be very affectionate as husband and wife?—Exceedingly so. I never heard them speak a disrespectful or unkind word.

On the contrary, they both spoke in the absence of each other very kindly?—Exceedingly so.

How did Dr. Pritchard and Mrs. Taylor stand?—He was Mrs. Taylor's idol.

Do you remember of Mrs. Pritchard's body being brought to Edinburgh?—I do.

It was taken to her father's house in Lauder Road?—Yes; I accompanied it to the house.

Did the prisoner accompany it also?—He did.

When it was taken to the house, was the coffin opened?—It was, at Dr. Pritchard's desire.

For what purpose?—To gratify the servants. They were very much attached to her, and it was done that they might have a last look at the body.

What day was that?—It was on Monday, the 20th March.

Now, just tell us what passed on this occasion?—The coffin was in the bedroom at the time it was opened, and the servants and Mr. Taylor were present; Dr. Pritchard exhibited a great deal of feeling on the occasion, and kissed the body; and after some time we retired.

Re-examined by Mr. Gifford—Were you well acquainted with Mrs. Taylor?—Yes.

You had known her for a great many years?—All my life.

You were intimate with her?—Yes.

You visited her frequently?—Very often.

She was a person of temperate habits?—Very temperate habits.

The Lord Justice-Clerk—Have you seen much of Dr. and Mrs. Pritchard during the last two years?—A good deal.

And visited them frequently at Glasgow?—Well, I was in the habit of visiting them occasionally; and Mrs. Pritchard and Dr. Pritchard were frequently through in Edinburgh. I saw more of them on those occasions.

M. Dickson

15. Margaret Dickson, examined by the Solicitor-General—I was for over four years in the employment of Mr. Michael Taylor, the husband of the late Mrs. Taylor, who died in Glasgow. I left his service in April last. They lived at No. 1

Lauder Road, Edinburgh. I remember Mrs. Pritchard coming from Glasgow on a visit in November last; and remaining till a few days before Christmas. She had been complaining when she came; but she got better while staying in Edinburgh. She was not confined to bed at all, and took her meals with the family. During that visit she was never sick to my knowledge. On Thursday, 30th March, I was present at Grange Cemetery when Mrs. Taylor's body was disinterred. I saw the coffin opened, and identified the body as that of Mrs. Taylor in presence of Doctors Maclagan and Littlejohn. Before Mrs. Taylor went to Glasgow in February she was in good health. She was quite well all the time I was in the house. So far as I know, she was of temperate habits. I never saw anything to the contrary. I have seen her take a little whisky and water during dinner, but never at any other time. I never saw her affected by it. I was also present when Mrs. Pritchard's body was handed over to Doctors Maclagan and Littlejohn on 21st March. I identified Mrs. Pritchard's body. **M. Dickson**

16. Michael Taylor, examined by the Solicitor-General— **M. Taylor**
The late Mrs. Taylor, who died in Glasgow in February last, was my wife. Before she went to visit my daughter, Mrs. Pritchard, her health was only middling; she had been complaining a good deal. She had been delicate for years, and subject to violent perspirations and also neuralgic headaches.

Did she take anything for her headache?—Battley's Solution.

Had she taken that for years?—For five or six years; she took it for the perspirations.

Excuse me for asking the question, but was she of temperate habits?—Perfectly so, in every respect.

She did not appear to be the worse of the medicine?—I sometimes observed a great inclination in her to sleep after she had taken the medicine.

She took it in your presence?—Never.

You knew she was taking it?—I knew that she was taking medicine, but I did not know what it was till last year.

Your daughter was with you upon a visit from the end of November until a few days before Christmas last year?—She was. She had been ailing before she came.

How was she when she was in your house?—Very delicate. She took her meals with us, but ate very little.

Was she confined to bed while in your house at all?—Sometimes she lay in bed when she came first.

The Lord Justice-Clerk—She got somewhat better while she was staying with you, and was more in the way of getting up to breakfast?—Yes.

The Solicitor-General—Did she complain of anything?—She complained of sickness.

M. Taylor At what time of her visit did she complain?—In the latter end of November, when she first came. She frequently complained of sickness, all the time she was with us.

What did she say about it?—She spoke of weakness and sickness.

Did you ever see her sick?—I have heard of her being sick; she had been obliged to leave the table on that account two or three times.

Was she very much better when she went away from you than before she came?—She was a little better.

You were telegraphed to from Glasgow that your wife was dangerously ill, and then that she was dead?—Yes; I received the two telegrams together. I went through to Glasgow by the first train.

You went to Dr. Paterson's house in the morning?—Yes; on the Saturday morning.

Who had told you to go there?—Dr. Pritchard asked me if I would go down and register the death.

And you went to Dr. Paterson's first?—Yes; to ask him to give me a certificate as to what was the cause of Mrs. Taylor's death.

It was Dr. Pritchard who sent you to Dr. Paterson?—Yes.

Did Dr. Pritchard tell you what your wife died of?—I think he said it was apoplexy and paralysis.

Had your wife ever any fits?—Not to my knowledge.

I believe you were present when your wife's body was disinterred in presence of Doctors Maclagan and Littlejohn?—Yes.

And Mrs. Pritchard's also?—Yes.

[Shown No. 47]—Is that a letter you received from Dr. Pritchard?—Yes.

It is dated 9.3.'65. The passage I want to read to you is this—"I am very much fatigued with being up at night with dear Mary Jane, who was very much worse yesterday, and passed a wretched night. Wednesday has been a periodic day with her during this illness, and she always dreads it. Her prostration is extreme, and her appetite quite failed. Dr. Paterson has recommended Dublin stout, and some very simple medicine."

Witness—It contains that passage.

Cross-examined by Mr. Clark—Were you frequently in Glasgow?—I may say a week in every month.

Were Dr. and Mrs. Pritchard living happily together?—I never saw anything to the contrary.

Did they appear to be happy and affectionate, and kind to one another?—Yes.

When you went to Glasgow did you always stay at their house?—I generally stopped three days at a hotel, and after finishing

business usually spent Saturday, Sunday, and Monday with them. M. Taylor

You spent two or three days in their house in each month?—Yes.

Do you remember when you were in Glasgow of stating something to Mrs. Pritchard about a nurse, or did she speak to you about a nurse?—The prisoner wrote that he was either going to get a nurse, or had got one.

But did Mrs. Pritchard?—Never.

Do you remember Mrs. Pritchard saying to you that she did not want a nurse?—She may have said so, but I cannot remember.

You said you knew that Mrs. Taylor took Battley's Solution, though you did not know the name of it?—I knew she was taking medicine.

Do you know where she got it?—She got it at Duncan & Flockhart's, and at Fairgrieve's.

You did not know the quantity she took?—No; only that she did get it and took it.

The Court adjourned at six o'clock.

Third Day—Wednesday, 5th July, 1865.

The Court met at ten o'clock.

Alex. M'Call

17. ALEXANDER M'CALL, examined by Mr. CRICHTON—I am superintendent of the Central District of Glasgow Police. I apprehended the prisoner on Monday, 20th March. He was searched then. [Shown Nos. 9 and 10.] These letters were found on him. I visited his house in Clarence Place on Tuesday, 21st. I searched his repositories. [Shown Nos. 19 and 20.] I found these diaries in the consulting-room. I got a bottle from Mary M'Leod. [Shown No. 85.] That is the bottle. She took it out of a chest of drawers which was standing on the stairhead in the passage on the top flat. There was a brownish-coloured liquid in the bottle. It was about half-full—up to about the middle of the upper label. I went back the next day, the 22nd. [Shown No. 86.] I took possession of these seven paper packets, which I found in the consulting-room. [Shown No. 87.] I got this quart bottle in the same room in a locked press; it contained ginger wine. The key of that press I found in the prisoner's pocket when apprehended. It was the press next the fire. [Shown No. 88.] I found this small phial in the consulting-room; there are the remains of a label bearing "Timon." It was found in an unlocked press. [Shown 89, 90, and 91.] These are three phials, two corks, and a glass stopper. I got these in the unlocked press in the consulting-room. [Shown No. 92.] This phial I got on the mantelpiece in the ante-drawing-room. The cork was in it then. On the 23rd I was back in the house. [Shown No. 96.] I got these from Mary Patterson that day. [Shown No. 97.] This bed-linen I also got from her. I was there also on 30th March. No. 99 are trinkets I got from Mary M'Leod. [Shown two bank pass-books, Nos. 100 and 101.] I found these in the locked press in the consulting-room. Nos. 96 and 97 I handed to John Murray, on the 29th, in the same state in which I got them. On 13th April I handed to Dr. Penny all the bottles which have now been shown to me. [Shown Nos. 12, 13, and 14.] I found these two prescriptions and an envelope in a desk in the consulting-room. [Shown 32 to 37 inclusive.] I found these letters in a bookcase in the consulting-room. [Shown Nos. 22 to 28 inclusive.] I found these letters in the same bookcase. [Shown Nos. 15 and 16.]

I found this prescription and envelope on 30th March on a table in the same room. [Shown Nos. 17 and 18.] I found this prescription and envelope on the same day, and on the same table. These were all the medical prescriptions I found. **Alex. M'Call**

Cross-examined by Mr. CLARK—I did not take all the bottles in the consulting-room. I left thirty-five phials or bottles in the unlocked press. In the locked press there was a bottle of brandy, a bottle of whisky, and some bottles labelled chloroform. The medicines were in the open press. These thirty-five bottles were examined by Doctors M'Leod and M'Hattie on the spot, and found to contain drugs which were not poison. I took all the bottles except the thirty-five. I gave the key of the locked press to the prisoner's brother, Charles Pritchard, on 31st March. I handed over to the prisoner's agent the medicine bottles which Dr. Penny did not retain; they were then in the same condition in which I found them. [Shown Nos. 32 to 37.] These were found in the bookcase in the consulting-room.

18. JOHN MURRAY, examined by Mr. CRICHTON—I am a sheriff-officer in Glasgow. [Shown Nos. 96 and 97.] I got these from Mr. M'Call, and handed them over to Dr Maclagan in the same state in which I got them. [Shown No. 84.] I got that parcel of tapioca from Mary Patterson on Saturday, 1st April. I took it to the County Buildings, Glasgow, sealed it up, and handed it to Dr. Penny, Glasgow, in the same state in which I had got it. [Shown No. 95.] I purchased this packet of tapioca from Messrs. Burton & Henderson, grocers, Glasgow, on the 14th April. I attached a label to it, and gave it to Dr. Penny in the same state in which I got it from Burton & Henderson. **John Murray**

19. JOHN CAMPBELL, examined by Mr. GIFFORD—I am manager of the Western Branch of the Glasgow Apothecaries' Company, 251 Sauchiehall Street. I have known the prisoner by sight for four years. He was not in the habit of making purchases at our establishment till within the last nine months. I have my books here, and the purchases he made are entered therein. He had a running account with us. [Shown No. 58.] That is an excerpt from our books of Dr. Pritchard's account. **J. Campbell**

[Articles Specified read to Witness, viz.:—]

1864—Sept. 19—10 grains Strychnine.
Nov. 4—½ oz. Tinct. Conii and Stopd. ble., 4d.; Laudanum, 2d.
16—1 oz. Laudanum and Stopd. ble.
1 oz. Tartar Emetic and Stopd. ble.
24—1 oz. Tinct. Aconite and bo.
Dec. 8—1 oz. Fleming's Tincture Aconite and bo.
9—1 oz. Tinct. Conii Maculat.

J. Campbell 1865—Feb. 4—1 oz. Tinct. Conii and bo.
7—1 oz. Tart. Antimon.
1 oz. Tinct. Aconite and bo.
9—1 oz. Tincture Aconite and bo.
11—2 oz. Tincture of Digitalis and bo.
18—2 oz. Tinc. Conii and bo.

I made that excerpt and compared it carefully with my books. Dr. Pritchard invariably got the articles mentioned himself. He came to the shop and ordered them personally. Some he took away with him, and some were sent home. Some orders were taken by myself, and some by an assistant. The orders taken by the assistant were—On November 24, 1 oz. tincture aconite; on December 9, 1 oz. tincture conii; on February 4, 1 oz. tincture conii. I did not get the orders for these, but all the other orders were given to me personally by the prisoner. I am satisfied that the whole of these articles, not only those ordered from myself, but from the assistant, were furnished from our establishment. All the articles that I have read are poisons.

Look at entry under date November 16—1 oz. tartar emetic. Is that a large quantity?—Yes.

What is the ordinary dose when used as an emetic?—Two grains.

How many grains are there is an ounce?—435½ avoirdupois. An ounce is not a usual quantity for me to sell. I never sold an ounce to a medical man in Glasgow before. On 7th February I sold another ounce of tartarised antimony. The quantity of antimony which I sold the prisoner struck me as unusual.

How much tartarised antimony have you sold during a year to the medical profession in Glasgow and the general public?—I think two ounces would serve us for twelve months.

For the whole of your trade;—Yes; for the whole of our trade. We have a very large dispensing business. One ounce tincture of aconite is an unusual quantity to sell to one individual. There are two entries of an ounce each also. The quantity I sold to the prisoner struck me as very unusual. It was Fleming's Tinture of Aconite I sold to him on 8th December. Fleming's is six times stronger than the ordinary tincture of aconite. I believe an ounce or two ounces of Fleming's would cover the whole of my business during a twelvemonth. Fleming's is the kind principally prescribed in liniments. Two ounces of tincture of digitalis is not unusual. The rest of the account is made up chiefly of chloroform. The quantity of chloroform sold to the prisoner from 13th July to 9th December, 1864, was very large, being 132 ounces. That is a very unusual quantity.

How much chloroform do you sell to the general public or to other medical men?—I could give you no idea, but it has no

relation at all to what the prisoner got—nothing like it in quantity. J. Campbell

Do you mean that the prisoner got more than all your other customers put together?—Yes; we supply medicines to a great many medical practitioners in Glasgow. I have been a dispensing apothecary for twenty-three years. In all my experience I never furnished so much poison to any medical man. [Shown No. 94.] These are the kind of phials we use for tincture of aconite and for other purposes, and these labels are such as we use. When we furnished these phials to the prisoner, they were all carefully labelled. On these phials the labels are all scraped off, but on one the letters "aco" remain in the handwriting of one of my assistants. His name is Rose.

20. John Currie, examined by Mr. Gifford—I am a chemist in Glasgow, and my shop is in Sauchiehall Street. I have known the prisoner since he came to Glasgow, fully three years ago. He came to my shop frequently and made purchases. I have my ledger here containing his account; but I have also made an excerpt from that account, showing the articles with which the prisoner was furnished from my shop. That excerpt is a correct one. John Currie

[Articles Specified read to Witness, viz.:—]

1865.
18th February.—Two ounces Solution Morphia.
One ounce Fleming's Tincture of Aconite.
8th March.—Solution of Atropine one dram, with one gr. to dram.
9th ,, —Solution of Atropine one dram, with two grs. to dram.
13th ,, —½ ounce of Fleming's Tincture of Aconite.
14th ,, —Solution of Atropine one dram, with two grs. to dram.
16th ,, —Solution of Atropine one dram, with five grs. to dram.

All these articles were furnished to the prisoner. I could not say decidedly which of them were furnished to him by myself personally; but some of them I prepared, while others were prepared by my assistant. Dr. Pritchard generally came himself and ordered them. All these articles were furnished to Dr. Pritchard at the dates specified. To the best of my knowledge I put up the tincture of aconite which was sent on the 18th of February, although, unless I saw the label, I could not swear to it. I think I prepared the first solution of atropine on 8th March, and one or two of the other articles, but I could scarcely be positive. I am not sure whether it was I or my assistant who made up the half-ounce of aconite supplied on 13th March. I was in constant attendance at the shop. I rather think my assistant gave the most of the solutions of atropine,

John Currie

although one or two I gave myself. The prisoner generally gave his orders verbally. He did not often send written orders.

Cross-examined by Mr. CLARK—You have no recollection of these articles being supplied to Dr. Pritchard further than that the entries are in your book?—I have.

What recollections have you?—I prepared some of the articles, and I know that they were sent to Dr. Pritchard.

How do you know they were sent to him?—My assistant told me so.

But you do not know of your own knowledge?—Yes I do, for I provided some of them myself.

Did you send them away yourself?—I supplied the first ounce of aconite and the first solution of atropine; I am pretty certain of that.

But you would not swear to it?—No.

As to the rest, it is only from what your assistant told you that you know?—I have no reason to doubt him. His name is Brown: he is not a witness in this case.

Dr. Douglas Maclagan

21. Dr. DOUGLAS MACLAGAN, examined by the SOLICITOR-GENERAL—I am Professor of Medical Jurisprudence in the University of Edinburgh, and have been long engaged as a medical practitioner in Edinburgh. I have also devoted considerable attention to chemistry in its toxicological relations. On the 21st March last I made a *post-mortem* examination of the body of Mary Jane Taylor or Pritchard, and prepared a report, which is as follows:—[Reads Report No. 1.]

Medical Report by Doctors Maclagan and Littlejohn of *Post-mortem* Examination of Body of Mrs. Pritchard.

Edinburgh, 21st March, 1865.

We, the undersigned, in virtue of a warrant of the Sheriff of Lanarkshire of yesterday's date, concurred in of this date by the Sheriff-Substitute of Edinburgh, at No. 1 Lauder Road, Grange, examined a body identified in our presence as that of Mary Jane Taylor or Pritchard, by the following witnesses:—Mary Raynor or Taylor, sister-in-law of the deceased; Michael Taylor, father of the deceased; Catherine Lattimer, servant; and Margaret Dickson, servant.

The body appeared to be that of a healthy woman, of about the age stated on the coffin-plate—thirty-nine years. It was free from putrescency. There was moderate *post-mortem* lividity and *rigor mortis*. Nothing was observed externally except a yellow stain on the right side of the abdomen, looking like the remains of a sinapism. The expression was placid. The pupils of the eyes natural.

Head.—The vessels of the scalp were not loaded with blood. The veins on the surface of the brain were moderately full,

especially at the posterior part. There was considerable effusion of serum under the arachnoid membrane on the top of the brain, but not at the base. The brain itself was healthy, both as regards vascularity and consistence. The ventricles contained only a small quantity of serum. Dr. Douglas Maclagan

Organs of Respiration and Circulation.—The windpipe was healthy. The right lung was quite healthy. The left lung was slightly adherent to the walls of the chest at its apex, where there was a firm mass of old tubercular deposit, of the size of a hazel nut, of cheesy consistence, and unaccompanied by any traces of recent morbid action. There was a small amount of serum in the pericardium. The heart contained a little fluid blood in both cavities—rather more in the right than in the left ventricle. In the right ventricle there was a small fibrous clot. The heart and its valves were healthy.

Organs of Digestion.—The gums and mucous membrane of the mouth were exsanguine, the lips dry, the pharynx and gullet perfectly healthy. The walls of the abdomen were loaded with fat, and so were the omentum and mesentery. The viscera presented no morbid appearance externally. The liver was natural; the gall-bladder full of bile. The spleen was healthy. The kidneys slightly congested. The stomach contained about three drachms of pinkish-grey, ropy fluid, with some small masses of tenacious mucus mixed with it. The mucous membrane was generally healthy, but on the posterior wall, near to the cardia, there was a patch of punctiform redness over a space of two inches square. The small intestines were lined with light grey mucus. The colin and rectum contained some yellow feculent matter, which nowhere was of solid consistence. The ileum, for about three inches of its length, at a part beginning about three inches above its termination in the colon, was closely contracted on itself. The mucous membrane of the rectum, throughout a good part of its extent, presented a superficial dark discoloration, as if some black pigment were embedded in its substance. There was slight ramiform injection of the greater part of the mucous membrane of the rectum. There were several small patches of the same appearance at various points throughout the colon, and a few spots of similar vascular injection in the small intestines.

Urinary and Genital Apparatus.—The urinary bladder contained about eight ounces of brownish yellow urine; the womb and its appendages presented no morbid appearance beyond a slight ulceration of the cervix uteri.

We have to report that this body presented no appearances of recent morbid action beyond a certain amount of irritation of the alimentary canal, and nothing at all capable of accounting for death. We have therefore secured the alimentary canal and its contents, the heart and some of the blood, the liver,

Dr. Douglas Maclagan

the spleen, the left kidney, and the urine, in order that these may be submitted to chemical analysis.

DOUGLAS MACLAGAN.
HENRY D. LITTLEJOHN.

The SOLICITOR-GENERAL—That is a true report?
WITNESS—It is.
[Reads Report No. 2.]

Chemical Report by Dr. Maclagan. Death of Mrs. Pritchard.

Edinburgh, 11th April, 1865.

I have subjected to chemical examination the various organs and contents of organs removed by Dr. Littlejohn and myself from the body of Mrs. Mary Jane Taylor or Pritchard at the *post-mortem* examination on 21st March, and I have to report the following as the results which I have obtained:—

It having been stated to me that antimony was suspected in this case, immediately on returning from the *post-mortem* examination I made a trial experiment in presence of Dr. Littlejohn and my assistant, Dr. Arthur Gamgee, with three drachms of the urine, and obtained from this unmistakable evidence of the presence of antimony. Being obliged, in consequence of the death of a relative, to go to London, and having, by the above experiment, ascertained that my researches must be directed towards the discovery of antimony, I requested Dr. Gamgee, in conjunction with Dr. Littlejohn, to carry on the following preliminary process in my absence.

[Witness withdrawn.]

Dr. A. Gamgee

22. Dr. ARTHUR GAMGEE, examined by the SOLICITOR-GENERAL—I have been assistant to Dr. Maclagan since April, 1863. I have had experience in chemical analysis. When Dr. Maclagan went to London on 22nd March he entrusted me with the evaporation of the intestines. The report correctly states what I did in Dr. Maclagan's absence. Dr. Maclagan returned on 24th March.

Dr. Henry D. Littlejohn

23. Dr. HENRY DUNCAN LITTLEJOHN concurred with Dr. Gamgee as to the process conducted in Dr. Maclagan's absence.

Dr. Douglas Maclagan

Dr. DOUGLAS MACLAGAN, recalled—[Reads same report]—The whole contents of the intestines were evaporated to dryness on a water bath, so as to obtain a solid residue; one-half of this residue was digested with water acidulated with tartaric acid, and filtered, by which a solution measuring two ounces and five drachms was obtained, in which any antimony present in the intestines would be found. One ounce of this fluid was subjected to a stream of sulphuretted hydrogen gas, and the orange-yellow precipitate which formed was collected on a filter and washed. This precipitate and the remainder of the tartaric acid solution

were reserved for my examination on my return to Edinburgh on the 24th March. I then subjected these materials to the following examination:—The orange-yellow precipitate was boiled in a tube with pure hydrochloric acid, and the solution thus obtained was mixed with water, when a white precipitate formed. The fluid containing this precipitate was again subjected to a stream of sulphuretted hydrogen gas, and again gave a deposit of an orange-yellow colour. Dr. Douglas Maclagan

One fluid drachm of the tartaric acid solution was treated by Reinsch's method, and another fluid drachm was treated by Marsh's process. By each of these well-known methods, and thus operating upon a quantity of fluid corresponding to a forty-second part of the contents of the intestines, I obtained unequivocal evidence of the presence of antimony. By digesting a small quantity of the dried residue of the intestinal contents with distilled water, filtering and subjecting the filtrate to Reinsch's process, I readily ascertained that the antimony was here present in the form of a compound soluble in water. There are only two preparations of antimony occurring in commerce which are soluble in water—the one of these, the chloride, is a strongly acid, dark brown, corrosive fluid, totally unsuited for internal administration; the other is what is known scientifically as tartarised antimony, and popularly as tartar emetic, a colourless substance, possessed of comparatively little taste, and in daily use as a medicinal agent. I have no doubt, and shall assume in the following statements, that the antimony found in Mrs. Pritchard's body was taken in this form.

The remainder of the acid solution, amounting to one ounce and three drachms, was subjected to a process intended to determine the quantity of antimony present in the contents of the intestines: but though the presence of this metal was determined with the greatest facility, I found that the amount yielded by the materials which I used was too small to enable me to weigh it with sufficient accuracy. I also made an experiment with the contents of the intestines, directed towards the discovery of vegetable poisons. It is sufficient on this subject to say that the result was entirely negative.

I then subjected to analysis the following fluids and solids removed from the body of Mrs. Pritchard:—

1. *Contents of Stomach.*—These amounted to little more than half an ounce, and were free from all odour of any poisonous drug. They were subjected, in the first place, to what is known as "Stass's process," for the separation of vegetable poisons, but not a trace of any of these was detected. The whole residues of this operation were preserved and subjected to examination for antimony, but none was found.

2. *The Urine.*—The presence of antimony having been already ascertained in this secretion, the remainder, amounting

Dr. Douglas Maclagan

to seven ounces, was employed to determine its quantity. The process followed here was a well-known one, by which the antimony is obtained in the form of sulphuret, after destroying the organic matter by means of hydrochloric acid and chlorate of potash. The quantity of sulphuret was readily weighed, and found to be rather more than one-tenth of a grain (0·1078 grain). This corresponds to nearly one-fourth of a grain (·218 grain) of tartar emetic.

3. *The Bile.*—A little more than half an ounce of this fluid was obtained from the gall bladder. By Reinsch's process fifty minims readily gave an antimonial deposit. The remainder of the bile, amounting to four drachms, was used to determine the amount of antimony in it, and it yielded sulphuret of antimony corresponding to more than one-tenth of a grain (0·121 grain) of tartar emetic.

4. *The Blood.*—The total quantity was six and a half ounces. One ounce was subjected to Reinsch's process, and readily gave evidence of the presence of antimony.

5. *The Liver.*—The weight of this organ was found to be thirty-six ounces, a portion weighing less than four ounces (1460 grains) was subjected to Reinsch's process, and a sufficient amount of antimony was found to coat rather more than four square inches of copper foil. Although the existence in the liver of an abundance of antimony was to my mind satisfactorily established by the appearance of the coated copper foil, I deemed it right to employ a portion of the product thus obtained for confirming, by another test, the presence of antimony in the body of Mrs. Pritchard. For this purpose a piece of the copper foil, one inch long and half an inch broad, was boiled in a dilute solution of pure caustic potash, the copper foil being from time to time freely exposed to the air. The coating disappeared from the copper, and a solution was obtained which, when acidulated with hydrochloric acid and subjected to a stream of sulphuretted hydrogen gas, gave an orange precipitate, which again was dissolved in strong hydrochloric acid; this acid solution gave, on being mixed with water, a white turbidity, which again was turned orange by sulphuretted hydrogen. Another portion of the coated foil, measuring half an inch square, was heated in a fine glass tube, with a view to ascertaining the presence or absence of arsenic, which occasionally exists as an impurity in compounds of antimony. No arsenic, however, was found, nor had any been observed in the previous trial of the contents of the intestines by Marsh's process. Finding antimony thus abundantly in the liver, I made an experiment to determine its actual quantity in that organ. For this purpose I operated upon one thousand grains, by the process described above for determining the presence of antimony in the state of sulphuret (0·1234 grain), corresponding

to a quarter of a grain (0·25 grain) of tartar emetic, the amount contained in the whole liver being almost exactly four grains (3·93 grains). Dr. Douglas Maclagan

I next examined the remainder of the solid organs removed from the body of Mrs. Pritchard, and have to state that I have found more or less of antimony in the whole of them. I operated in no instance upon more than 350 grains, in every case following Reinsch's process. I thus obtained the evidence of the presence of antimony in the spleen, kidney, muscular substance of the heart, coats of the stomach, coats of the rectum, brain, and uterus.

On the 29th of March I received from the hands of John Murray, sheriff-officer, Glasgow, two parcels of clothes, with sealed labels attached to them, with a view to my examining some stains upon them. One of these labels bore, "Police Office, Glasgow, Central District, 23rd March, 1865. Found in the house of Dr. Pritchard, 131 Sauchiehall Street, and referred to in the case of himself. (Signed) A. M'Call, Audley Thomson." The label was signed by John Murray in my presence, and initialed by me. On the back of the label was the following list of the articles attached to it:—"One nightdress, 1 chemise, 1 nightcap, 3 handkerchiefs, 1 knitted woollen semmit, a pair of worsted stockings, 1 woollen polka." The other label was similarly dated and signed, the list on the back being—"2 sheets, 2 pillow cases, 2 towels, 1 toilet cover." I examined such of the stains on these articles as appeared of importance, confining my experiments to a search for antimony, and I have to state that, whilst with many of the stains the result was entirely negative, I found antimony on the following:—1st, on the chemise, from a stain obviously of discharge from the bowels, and which had been marked by me A. 2nd, on one of the sheets, distinguished by me as No. 1, in a stain marked by me B. 3rd, on the other sheet, distinguished by me as No. 2, in a stain obviously of urine, marked by me A. 4th, on a toilet cover, in a stain of a reddish colour, looking like a wine stain.

It is hardly necessary to state that the materials employed in all these chemical operations had been ascertained to be entirely free from all metallic impurity.

The Solicitor-General—That is a true report?
Witness—It is.
[Reads Report No. 4.]

Medical Report by Doctors Maclagan and Littlejohn of *Post-mortem* Examination of Body of Mrs. Taylor.

Edinburgh, 30th March, 1865.

In virtue of a warrant of the Sheriff of Lanarkshire, dated 28th March, 1865, and concurred in on 29th March by the

Dr. Douglas Maclagan

Sheriff-Substitute of Midlothian, we this day, at the Grange Cemetery, examined the body of Mrs. Jane Taylor, who was buried there at the beginning of the present month. The coffin was exhumed in our presence, and was found to bear on the plate "Jane Taylor, died 25th February, 1865, aged 71 years." A portion of the earth from above the coffin was secured for chemical examination. The coffin, and subsequently the features of the deceased, were identified in our presence by the following witnesses:—Mr. Michael Taylor, Dr. M. W. Taylor, Margaret Dickson, James Thomson, John Moffat, David Glen, and Robert Grant. The coffin was entire. The following were the appearances observed by us in the body of Mrs. Taylor:—

Externally, it presented the appearance of great freshness. There was some red *post-mortem* coloration of the shoulders and back. The abdomen was slightly green over a space of not more than four inches by three. There was a little mouldiness on the face, but there was no putrefactive disfigurement of the countenance. The expression was placid, and a little florid colour was visible on the cheeks.

Head.—The scalp was not congested. The dura mater was firmly adherent to the skull at several points, especially at the frontal bone, and in the right temporal fossa, at which places the inner table of the skull exhibited rough elevations and depressions, to which the dura mater was attached. These were of old standing. A small quantity of fluid blood, which had exuded from a vein torn in removing the skull-cap, was found on the upper part of a posterior lobe of the left hemisphere. It was entirely a *post-mortem* occurrence. The blood was at once washed away by a little water poured gently upon it, and the brain and membrane beneath it were found quite in a natural state. There was a small amount of sub-arachnoid effusion, obviously also a *post-mortem* phenomenon, as it was found only at the back part of the brain, and was unaccompanied by any appearance of inflammatory action. The blood-vessels of the brain were not congested. The ventricles contained less than a teaspoonful of clear serum. The brain throughout was remarkably fresh. Every part of it was most carefully scrutinised, but at all points it was found perfectly healthy, both externally and internally, equally as regards consistence, colour, and structure. There was a trifling amount of atheromatous deposit on the coats of the vessels at the base of the brain, but much less than might have been expected in a person seventy-one years of age.

Organs of Respiration and Circulation.—The mucous membrane of the trachea was little, if at all, altered by putrefaction, being only slightly reddened, and lined by a little colourless

mucus. The lungs were remarkably healthy, there being no trace of anything noteworthy about them, except some old adhesions of the left pleura. The pericardium was healthy, and contained no serum. The heart was large, and weighed sixteen ounces. It had a considerable layer of fat over its surface, was slightly dilated, particularly on the right side, but all its valves were quite healthy. There was about one ounce and a half of fluid blood, along with a fibrinous coagulum in the right ventricle. The left ventricle was almost empty. The venæ cavæ contained half coagulated blood. The aorta was quite free from atheromatous deposit. Dr. Douglas Maclagan.

Organs of Digestion.—The gums and mucous membrane of the mouth, the pharynx, and gullet were perfectly healthy. The walls of the abdomen were loaded with fat, and so were the omentum and mesentery. The stomach contained five ounces of turbid yellow fluid, and some small masses of undigested food. The mucous membrane was free from disease, and presented only some *post-mortem* blackening at several points, and a yellow coloration from contact with the contents. The intestines presented diffuse *post-mortem* redness externally at several points, but nowhere exhibited any distinct morbid appearances. A portion of the ileum, about four inches in length, and about three feet above the cæcum, was closely contracted upon itself. The small intestines contained only a lining of pinkish-grey mucus. There was a small amount of yellow fluid fæces in the cæcum and rectum. The large intestines elsewhere contained only a lining of pinkish-grey mucus. The mucous membrane of the intestines everywhere was perfectly healthy. The rectum at one or two points, especially close to the anus, presented slightly the appearance of a black pigment matter imbedded in its mucous membrane. The other organs of the abdomen were healthy.

Urinary and Genital Apparatus.—The bladder was contracted, and contained only a little mucus. The uterus and its appendages were healthy.

We have to report that we have not been able to discover in the body of Mrs. Taylor any morbid appearance capable of accounting for her death, and are of opinion that the cause of her death cannot be determined without chemical analysis. We have therefore secured for this purpose the alimentary canal and its contents, the heart and some of the blood, the liver, the spleen, the kidneys, the bladder and uterus, and a portion of the brain, which have been left in the custody of Dr. Maclagan.

Douglas Maclagan.
Henry D. Littlejohn.

The Solicitor-General—That is a true report?
Witness—It is. [Reads Report No. 5.]

Dr. Douglas Maclagan

Chemical Report by Dr. Maclagan. Death of Mrs. Taylor.

Edinburgh, 13th April, 1865.

I have subjected to chemical examination the various organs and fluids removed by Dr. Littlejohn and myself from the body of Mrs. Jane Taylor at our *post-mortem* examination on 30th March, and have to report on them as follows:—

Contents of Stomach.—These, which amounted to five ounces, were, in the first place, subjected to the process known as that of Stass, for the detection of the active principles of vegetable poisons. The result, however, was that no trace of any of these was detected. A special test was also applied, with the view of discovering in the stomach meconic acid, one of the characteristic constituents of opium, but in this also I was unsuccessful. The residues of the above process were reserved to be tested for metallic poisons, and a preliminary trial, by Reinsch's method, having revealed in the contents of the stomach the presence of antimony, I subjected the whole to a process by which I was enabled to determine the amount of this metal. This process was as follows:—The materials were boiled with pure hydrochloric acid and copper foil, so long as the latter continued to receive on its polished surface a deposit of antimony. The foil thus coated was boiled with a weak solution of pure potash, the foil being from time to time exposed to the air, and the antimony was thus dissolved. The fluid, after being acidulated with hydrochloric acid, was subjected to a current of sulphuretted hydrogen gas, and yielded an orange-coloured deposit of sulphuret of antimony. This was further purified by dissolving it in a weak solution of sulphide of sodium, from which it was again precipitated by hydrochloric acid and weighed. Assuming, for reasons to be afterwards given, that the antimony existed in the form of tartar emetic, the amount of this represented by the sulphuret which I obtained from the stomach was a little more than a quarter of a grain (0·279).

Contents of Intestines.—The whole contents were evaporated at a gentle heat on the water bath, and a dry residue obtained, which weighed four hundred and thirty grains. Ten grains of this residue, on being subjected to Reinsch's process, yielded a characteristic deposit of antimony. To determine in what form this antimony existed, other ten grains were treated with distilled water, the solution filtered, and the fluid subjected to Reinsch's process. A characteristic antimonial deposit was obtained, thus proving that this metal was present in a soluble form. There are only two soluble forms of antimony met with in commerce. One of these, the chloride, is a dark-coloured, acid, corrosive fluid, totally unsuited for internal administration. The other is what is known scientifically as tartarised antimony,

and popularly as tartar emetic, a colourless substance possessed of comparatively little taste, and in daily use as a medicinal agent. I have no doubt that it was in this last form that the antimony had been taken which I found in the alimentary canal of Mrs. Taylor. I endeavoured to determine, by the process formerly mentioned, the amount of antimony in the contents of the intestines, and for this purpose one hundred grains of the dried residue were boiled with hydrochloric acid and copper foil. The amount of foil coated was one and a half square inches, but the deposit was too small to enable me with confidence to make it the subject of a quantitative determination. Dr. Douglas Maclagan

A piece of the coated copper, half an inch square, was heated in a tube to ascertain the presence or absence of arsenic, which occasionally occurs as an impurity in tartar emetic, but none was found.

The Blood.—Of this, six and a half ounces were obtained at the *post-mortem* examination. One ounce was subjected to Reinsch's process, and a characteristic antimonial deposit was obtained.

The Liver.—This organ weighed two pounds six and a half ounces. Two hundred and twenty grains were subjected to Reinsch's process, and two pieces of copper foil were coated with a characteristic deposit of antimony. One of these was made use of to confirm, though this was not necessary, the fact that the deposit on it was antimony. For this purpose it was, by the process already described, converted into sulphuret, which again was dissolved in strong hydrochloric acid. The solution thus obtained became milky on the addition of water, and on being a second time exposed to sulphuretted hydrogen gas again yielded the orange-coloured sulphuret. These reactions are conclusive as to the deposit on the foil being antimony.

I determined the amount of antimony in the liver. For this purpose I operated upon a thousand grains by the method already described, and obtained a quantity of sulphuret, indicating that the liver contained rather more than one grain and a tenth (1·151 grains) of tartar emetic.

I also examined the other solid organs and tissues removed from Mrs. Taylor's body, in each case following Reinsch's method, and in each case obtaining on the copper a characteristic antimonial deposit. I thus found that there was more or less of antimony present in the muscular substance of the heart, the spleen, the kidney, the coats of the stomach, the coats of the rectum, the uterus, and the brain.

Lastly.—As Mrs. Taylor's body had been exhumed, I thought it my duty to examine some of the earth in which it had been interred, although this was superfluous, from the facts that the soil of the cemetery was dry and the coffin entire. For this

Dr. Douglas Maclagan

purpose I boiled eight ounces of the earth in water, filtered and concentrated the decoction, and subjected it to Reinsch's process, but it was found not to contain a trace of soluble antimony, and was therefore incapable of impregnating with this metal any body buried in it.

Cross-examined by Mr. Clark—I understand that the first experiment you made was upon the urine?—Yes.

When you obtained unmistakable evidence of the presence of antimony, by what process did you arrive at that conclusion?—By performing Reinsch's process, and getting the characteristic violet deposit upon the copper.

You did not carry it further?—No.

That is the way you obtained unmistakable evidence of the presence of the antimony?—Yes.

In your opinion as a chemist is that conclusive proof of the presence of antimony?—I should not consider a case thoroughly worked out on that alone, but as a trial experiment, to my mind it was quite unmistakable.

Being unmistakable, is there any necessity of going further?—It is better, I think, in every case to carry assurance to the minds of others by adding a further corroborative test.

In your opinion the characteristic deposit upon the copper is conclusive of the presence of antimony?—Yes; it is quite satisfactory to my mind.

I understand that Reinsch's process consists in producing upon the copper foil a certain coloured deposit; that is the beginning and the end of the process?—Yes; properly speaking.

That deposit which you procured upon the copper may be subsequently tested in other ways, but that is not an essential part of Reinsch's process?—No.

But you proceeded so far as to get this deposit on the copper by Reinsch's test, which you held to afford unmistakable evidences of antimony?—Yes; in the urine.

After you had done so you had to leave for London, and the preparatory work was done by Doctors Gamgee and Littlejohn. Were the rest of the experiments conducted by yourself?—Yes; the whole of them, from the beginning to the end.

You performed the experiments upon the contents of the intestines with a view to enable you to determine the quantity of antimony?—Yes.

The result was that you found a quantity so small that you could not determine it by weight?—Yes; by that particular process.

The exact quantity in the intestines was so small that you could not make it out?—I could not make it out as a quantity. I could not weigh it satisfactorily.

In these intestines what did you operate upon?—Upon the

remains of the fluid that had been prepared in my absence by Doctors Gamgee and Littlejohn. Dr. Douglas Maclagan

Only upon a portion of the solution which Dr. Gamgee gave you?—Yes.

Now, I should like you to tell me whether you handed any of the solution to Dr. Penny?—None of the solution.

Did you hand any part of the intestines to Dr. Penny?—Yes; some of the dried residue.

You yourself did not know how the solution was prepared, or in what way the previous preparatory process had been carried through?—I was merely informed that they had followed the instructions which I had given when I went away.

Would you tell me what was the amount of sulphuret of antimony that you found in the liver?—[After referring to report]—0·1234 of a thousand grains.

In making these experiments you did not find any traces of mercury?—I did not; not at the time.

Re-examined by the Solicitor-General—You gave to Dr. Penny certain portions that were taken from the body of Mrs. Pritchard, and also from the body of Mrs. Taylor?—Yes.

Tell us what you handed to him from Mrs. Pritchard's body?—A note made at the time by myself contains a short record of the proceedings. I delivered to Dr. Penny at the University, from the body of Mrs. Pritchard—(1) A portion of the rectum, (2) the pyloric half of the stomach, (3) about half a kidney, (4) a portion (half) of the spleen, (5) a portion of the heart, (6) a portion of the brain, (7) 225 grains of dried contents of intestines, (8) a portion of liver, and (9) a portion of blood.

In glass bottles?—Yes; all the things were either in jars or bottles.

You handed them over to Dr. Penny in your laboratory at the University?—Yes.

What portions of Mrs. Taylor's body did you deliver to Dr. Penny?—First, a portion of liver; second, a portion of heart; then one kidney; then 100 grains of dried contents of intestines; about one-half of the stomach, a portion of the rectum, and a portion of the blood.

I believe you found no mercury in your examination of the contents of the intestines?—No.

You were requested subsequently to make an examination of a part of the residue of the contents of the intestines of Mrs. Pritchard?—Yes; last week. What I operated upon were the remains after the process that had been conducted by Doctors Gamgee and Littlejohn in my absence, and which had remained locked up.

The Lord Justice-Clerk—Tell me what you made an examination of?—It was the solid residue that had remained after the tartaric acid fluid had been filtered through.

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The Solicitor-General—And with what result?—I determined the presence of mercury, and found a considerable quantity of antimony remaining in it.

Give us as accurately as you can the result, and state how much antimony was found?—I got a clear fluid by operating upon that residue with chlorate of potash and hydrochloric acid; and then passing sulphuretted hydrogen, I got a precipitate of a dirty orange colour, which was collected, washed, and boiled in strong hydrochloric acid. The yellow colour disappeared, and the precipitate became black. The hydrochloric solution was then mixed with water and tartaric acid, and it gave an orange precipitate which, when collected and weighed, amounted to 0·082, equal on the whole to 1·265 of sulphuret of antimony.

Is that one grain and 265 decimal parts of a grain you mean?—Yes.

That is about a grain and a quarter, is it not?—Yes; rather more.

The Lord Justice-Clerk—In what quantity of solid residue?—In the whole that remained.

The Solicitor-General—What was the weight of it?—It would be impossible to estimate the weight, because it had been in water, and had then been kept in a jar.

In short, it was more antimony than you found in the contents of the intestines after the precipitate obtained by Doctors Littlejohn and Gamgee?—Quite so. They treated the solid residue of one-half of the contents of the intestines, in my absence. They filtered the clear tartaric acid, and the result is given in my first report. The solid matter of that not dissolved by the tartaric acid was kept on the filter. It was that that was operated upon, and therefore it was the solid residue of the one-half of the intestines, minus, of course, what had been dissolved by the tartaric acid.

Then it was so much antimony which their process had not extracted?—Yes.

The Lord Justice-Clerk—It was about a grain and a quarter?—Yes; a grain and a quarter of sulphuret.

And what is that in tartar emetic?—It is equal to 2·56 of tartar emetic.

The Solicitor-General—That is rather more than two and a half grains of tartar emetic?—Yes.

Now, you have spoken of the precipitate you obtained becoming black; what did that indicate?—It indicated the presence of sulphuret of mercury.

Did you make a quantitative analysis to determine the amount?—Yes; it was 0·0509 grains—the twentieth of a grain.

The Lord Justice-Clerk—That was mercury—in what form?—In the form of sulphuret.

Dr. Douglas Maclagan

The Solicitor-General—Did you estimate the total quantity of tartar emetic contained in the whole of the intestines from what you recovered?—I made a corroborative experiment along with that which I have just narrated on a fresh portion of the dried contents. I took fifty grains of matter that had never been operated upon by any person before—what had been got by simply evaporating to dryness. I worked by the process of chlorate of potash as before, and I got 0·138 of sulphuret of antimony, corresponding to 0·280 of tartar emetic.

What was the weight of the whole dried contents of the intestines?—1020 grains generally.

The Lord Justice-Clerk—What was the total amount of tartar emetic?—In the whole of the contents of the intestines it would be 5·712—nearly six grains.

The Solicitor-General—What do you mean by the contents of the intestines?—That which had originally been got out of the intestinal canal from the stomach down to the rectum, and which had been evaporated to dryness as the first stage of the proceedings.

Re-cross-examined by Mr. Clark—Did you find any mercury in making that last experiment?—I did.

What was the amount?—The amount in the experiment with the 50 grains of sulphuret of mercury was 0·0308 grains—the 300th part of a grain.

In conducting your original experiments, did you carry any of them further than the mere obtaining the deposit on the foil?—Yes; I boiled the copper foil in potash, so as to get the sulphuret of antimony.

In all cases?—No.

Speaking of Mrs. Pritchard's body, in what cases?—It was partly on the tartaric acid solution.

What do you mean by partly?—That process was followed out of testing the antimony by means of the solution in potash, both with the contents of the intestines and with the liver.

In the other cases you rested satisfied with obtaining the deposit on the copper?—I think in all the other cases.

In making these experiments which you have referred to upon the bed-clothes, and so on, did you carry your test further than the coloured deposit?—No.

In the case of the examination of Mrs. Taylor, did you proceed to the close of the experiments, or did you rest satisfied with the coloured deposit?—I carried out the experiments in regard to the contents of the intestines and the liver.

In the other cases you did not?—No.

Dr. F. Penny

24. Dr. Frederick Penny, examined by the Solicitor-General—I am Professor of Chemistry in the Andersonian University of Glasgow, and have given much attention to the

Dr. F. Penny

subject of poisons. On 10th April last I received from Professor Maclagan, of Edinburgh, the various articles to which he has spoken in the witness-box. I made a chemical analysis of these, and prepared a report. [Reads Report No. 3.]

Report of Analysis in the Case of the Death of Mrs. Pritchard.

Andersonian, Glasgow, 9th May, 1865.

On Monday, the 10th of April last, I received from Dr. Douglas Maclagan, at his laboratory in Edinburgh, the following articles, all of which were certified to have been taken from the body of Mrs. Pritchard:—

No. 1. Pyloric half of Stomach.
„ 2. Nearly half of Kidney.
„ 3. Portion of Rectum.
„ 4. Portion of Spleen.
} These four articles were contained in a stone-ware jar.

„ 5. Portion of Liver in a glass jar.
„ 6. Portion of Brain in a glass jar.
„ 7. Portion of Heart in a glass bottle.
„ 8. Portion of Blood in a glass bottle.
„ 9. 225 grains of Dried Contents of Intestines in a glass bottle.

The several vessels containing these articles were securely closed and duly labelled. I brought them direct to Glasgow on the day referred to, and, in accordance with instructions from the Crown Agent, Edinburgh, I have, at my own laboratory, carefully analysed and chemically examined each and all of the said articles for the purpose of ascertaining whether they contained any poisonous substance.

Dried Contents of Intestines.—The investigation was commenced with the contents of the intestines. From the information which I received, my attention was particularly directed to the detection of antimony; but, deeming it desirable to search for the presence of other metallic poisons, I subjected a portion of the said contents to the usual course of qualitative analysis for the detection of various metals of a poisonous nature. The results of this exhaustive examination gave distinct indications of the presence of antimony and mercury.

For the purpose of establishing unequivocally the presence of these metals, and at the same time of estimating their quantities respectively, the following experiments were then carried out:—

A known quantity of the said contents was dissolved, with the usual precautions, in hydrochloric acid, with the addition of chlorate of potash, and the solution, being properly diluted with water, was subjected to the action of sulphuretted hydrogen gas.

An abundant black precipitate was obtained, which, by proper treatment, was separated into sulphide of antimony and sulphide of mercury. Dr. F. Penny

The sulphide of antimony, which was obtained of a fine orange-red colour, was washed, dried, and weighed. Its weight corresponded to a quantity of metallic antimony equal to 2·1 grains in one thousand parts of the dried contents of the intestines. The same sulphide was found to be readily soluble in sulphide of ammonium, and also in hydrochloric acid, and the acid solution, when poured into water, gave a white precipitate, and, when boiled with copper ribbon, deposited a violet-coloured coating on the surface of the copper. The coated copper, on being heated in a glass tube, gave no distinct crystalline sublimate. All these results are eminently characteristic of sulphide of antimony when thus treated.

The sulphide of mercury was black; it was dissolved in nitric and hydrochloric acids, and the solution, being appropriately prepared, was treated with chloride of tin. A precipitate of metallic mercury was obtained, which, after being suitably washed and dried, was found to correspond to three grains in one thousand grains of the dried contents. A portion of this precipitate, on being heated in a dry glass tube, gave a sublimate of mercury in brilliant and mirror-like globules. Another portion was dissolved in nitric and hydrochloric acids, and the solution, after the removal of the excess of acid, was tested with caustic, potash, ammonia, and iodide of potassium, and with other reagents and methods for the detection of mercury. In every case the peculiar reaction of that metal was satisfactorily produced. In order to corroborate the results of the foregoing experiments, another portion of the said contents of the intestines was subjected to Reinsch's process, and this was supplemented by Marsh's process. By the former process copper foil was coated with a deposit which presented the peculiar violet colour and the general appearance of metallic antimony; and, by continuing the process till the copper foil ceased to be coated and the liquid was exhausted of separable matter, pieces of the copper foil were obtained with a grey coating, which, on being rubbed, became silvery and lustrous, like metallic mercury when similarly deposited. The coated copper was then digested in an aqueous solution of pure potash, and, after being well washed and dried, it was cautiously heated in a small tube. A sublimate of metallic mercury in minute lustrous globules was obtained, and this sublimate, when dissolved in the proper acids, yielded with the well-known tests—the chemical reactions of metallic mercury.

The potash solution from the coated copper was then treated in the usual manner for the separation of antimony in the form

Dr. F. Penny

of the orange-red sulphide, which, when collected and weighed, was found to correspond very closely with the proportion obtained by the process previously described. The sulphide of antimony was soluble in sulphide of ammonium and in hydrochloric acid. The solution in hydrochloric acid gave a white precipitate when poured into water, and on being subjected to Marsh's process, deposited on a porcelain slab the characteristic stains of metallic antimony. In another experiment a portion of the said contents was distilled with concentrated hydrochloric acid, and antimony was detected in the distillate.

With a view of ascertaining whether the antimony and mercury existed in a form soluble in water in the said contents of the intestines, a portion of these was macerated in distilled water and the solution carefully tested for both metals. The presence of antimony was distinctly detected, but no mercury.

The said contents were also examined by Stass's method for aconite, morphia, and other organic poisons, but not the slightest evidence of the presence of such poisons was obtained.

Stomach.—The stomach was analysed by the same methods as those applied to the dried contents of the intestines.

It yielded antimony in appreciable proportions, but no mercury. The quantity of antimony obtained was equal to ·05 of a grain in one thousand parts. The stomach was also minutely examined for morphia and aconite, but not a trace of these substances was obtained.

Liver.—The liver was found to contain antimony, but no mercury. The proportion of antimony amounted to one-tenth of a grain in one thousand grains.

Spleen.—The spleen yielded antimony in about the same proportion as that found in the liver, and it also contained mercury in well-marked quantity.

Kidney.—The kidney yielded about the same proportion of antimony as the liver, and it was also found to contain an extremely minute trace of mercury.

Heart.—The heart yielded antimony in a proportion rather larger than that found in the liver. It also contained mercury in smaller quantity than the spleen.

Brain.—The brain contained antimony in less quantity than the liver, but it yielded no mercury.

Blood.—The blood contained a small quantity of antimony, and also a faint trace of mercury.

Rectum.—The rectum yielded antimony, but in less quantity than the liver. It afforded no indications of mercury.

The Solicitor-General—Is that a true report?—It is.

You also at the same time received from Dr. Maclagan portions of the body of Mrs. Taylor, and made a similar analysis of these?—I did. [Reads Report No. 6.]

Evidence for Prosecution.

Report of Analysis in the Case of the Death of Mrs. Taylor. **Dr. F. Penny**

Andersonian, Glasgow, 9th May, 1865.

On the same day and occasion that I received the articles in the case of the death of Mrs. Pritchard, Dr. Douglas Maclagan delivered to me the following articles, certified to have been taken from the body of Mrs. Taylor:—

No. 1. Portion of Liver in stoneware jar.
„ 2. Portion of Stomach in glass bottle.
„ 3. Portion of Heart in glass bottle.
„ 4. One Kidney in glass bottle.
„ 5. Portion of Rectum in glass bottle.
„ 6. Portion of Blood in glass bottle.
„ 7. 100 grains of Dried Contents of Intestines.

The vessels containing these articles were securely closed and duly labelled, and were, on the day referred to, brought by me direct to Glasgow.

I have subjected all the articles above enumerated to a course of analysis and chemical examination similar to that applied to the articles in the case of Mrs. Pritchard. The following were the results obtained:—

Liver.—In the liver the presence of antimony was unequivocally detected, and a quantitative estimation gave ·047 of a grain in 1000 grains of this organ. A careful analysis was also made for the presence of mercury, but not the slightest trace was detected.

Stomach.—The stomach yielded about the same proportion of antimony as that found in the liver. No mercury was detected. The stomach was also minutely examined by Stass's process for aconite and morphia, but not a trace of these poisonous alkaloids was obtained.

Heart.—The heart was found to contain antimony in less proportion than the liver. It yielded no mercury.

Kidney.—The kidney yielded about the same quantity of antimony as the heart. It gave a marked quantity of mercury.

Rectum.—The rectum gave antimony, but no mercury.

Blood.—In the blood antimony was detected in rather larger proportions than in the heart. No mercury was detected.

Dried Contents of Intestines.—In the dried contents of the intestines antimony was found to the extent of ·583 parts in 1000 parts by weight. It was partly present in a form soluble in water. No mercury was detected. The said contents were also carefully analysed for aconite and morphia, but no evidence of the presence of these poisons was obtained.

The Solicitor-General—That is a true report?—It is.

You also made a report on certain articles which were delivered to you by Mr. M'Call, Superintendent of Police?—I did. [Reads Report No. 7.]

Dr. F. Penny

Report of Analysis of certain Articles referred to in the Case of Dr. Pritchard.

Andersonian, Glasgow, 17th May, 1865.

On Thursday, the 13th of April last, Alexander M'Call, Superintendent of Police, delivered to me, at my laboratory, the following productions, having sealed labels attached, referring to the case of Dr. Pritchard:—

A glass bottle, labelled "Battley's Sedative Solution" [B].
A bundle of seven small paper packages [C].
A quart wine bottle, containing ginger wine [D].
A small glass phial, containing a white powder [E].
Three small phials, two corks, and one stopper, securely tied together [F].
Six small phials and six corks, attached with string [I].

On the same day and occasion John Murray delivered to me a paper package, having labels attached, marked A, and containing tapioca.

On Friday, the 21st April last, Alexander M'Call delivered to me a small glass phial, with label attached, marked G, and also a piece of cheese, marked H.

On Thursday, the 11th inst., John Murray delivered to me a paper package, with label attached, marked K, and containing tapioca.

In accordance with instructions received from John Gemmel, Esq., procurator-fiscal, I have made a careful analysis and chemical examination of the contents of the several productions above enumerated. My experiments and investigations gave the following results, which, for the facility of reference, are reported in alphabetical order:—

This paper package [A] contained 2850 grains of tapioca. The presence of antimony, in the form of tartarised antimony, was unequivocally detected. Its amount was found to be equal to 4·62 grains in the pound of tapioca. Not a trace of mercury was detected.

This bottle [B] contained one ounce and five drachms of a dark brown liquid, having the odour and general appearance of Battley's solution of opium. It was found to contain an appreciable quantity of antimony in a soluble form. The amount was equal to 1·5 grain per fluid ounce of the liquid. It contained no mercury.

(I am at present engaged in examining it for other substances.)

The seven paper packages [C] comprised in this production were marked No. 1 to No. 7 inclusive.

No. 1 contained a small lump of crystallised nitrate of silver, weighing 16·5 grains. It contained no antimony.

No. 2 contained 132 grains of cummin seed in powder. Neither antimony nor mercury was found in it.

No. 3 contained 143 grains of sugar of lead. Nothing extraneous was detected.

No. 4. The contents of this package consisted of a mixture of mercury and chalk, weighing together 6·5 grains, and it was evidently the medicinal preparation called "Hydrargyrum c. Creta." No antimony was found in it.

No. 5 contained a lump of opium weighing 110 grains.

No. 6 contained 13·5 grains of morphia, contaminated with a small quantity of nitrate of silver, which, from the appearance of the paper package, had manifestly enfiltered accidentally from without.

No. 7 contained 1350 grains of a white, gritty, crystalline powder, which was found to have all the physical and chemical properties of sugar of milk. It was carefully tested for mercury, antimony, and other substances, but the results were entirely negative.

This bottle [D] contained 18 fluid ounces of ginger wine. No antimony or mercury was detected.

This phial [E] contained 3·5 grains of a white powder, which was found by analysis to be tartarised antimony.

The three phials [F] included in this production were labelled respectively 1, 2, and 3.

No. 1 contained one ounce and three drachms of tincture of conium.

No. 2 contained five drops of the same tincture.

No. 3 contained two and one-half drachms of the same preparation.

This phial [G] contained nine drachms and a half of a light yellow-coloured liquid, having the taste and odour of cinnamon, and consisting of a mixture of medicinal substances. It contained no antimony and no mercury.

This cheese [H] was tested for antimony and mercury, but no evidence of the presence of these metals was obtained.

This production [I] included six small phials, which were found to contain as follows:—

No. 1. Four drops of tincture of aconite.
2. Twelve drops of the same tincture.
3. Thirty drops of the tincture of conium.
4. Fourteen drops of the tincture of conium.
5. Empty.
6. Nine drops of the tincture of digitalis.

This paper package [K] contained 1695 grains of tapioca. Not the least trace of either antimony or mercury was detected in this tapioca.

All this I certify on soul and conscience.

FREDERICK PENNY.

17th May, 1865.

Dr. F. Penny

The Solicitor-General—On the 15th May you received some other articles from Mr. M'Call, and prepared a report regarding them?—I did. [Reads Report No. 8.]

Report of Analysis of certain Articles referring to the Case of Dr. Pritchard.

Andersonian, Glasgow, 19th May, 1865.

This is to certify that I have subjected to careful analysis and chemical examination the following articles, which were delivered to me on the 15th inst. by Alexander M'Call:—

No. 1. A brownish-coloured and turbid liquid, measuring three fluid ounces, contained in a glass bottle, labelled chloroform. It was tested for antimony and mercury, but not a trace of either metal was detected. It contained no aconite.

No. 2. A white crystalline powder, contained in a small cylindrical wooden box, with screw cover. It weighed 15·5 grains, and was found to consist of a mixture of tartarised antimony and arsenious acid (that is, the common poison of arsenic) in nearly equal proportions by weight.

No. 3. About ten drops of colourless liquid, contained in a quart wine bottle. It was found to be an aqueous solution of corrosive sublimate.

No 4 [A]. A white powder, contained in a circular red pasteboard box. It weighed 5 grains, and was found to be calomel.

No. 4 [B]. A white powder, weighing 35 grains, contained in a green pasteboard box. It was found to be tartarised antimony.

All the productions containing the articles subjected to analysis were securely closed, and had sealed labels attached.

Frederick Penny.

19th May, 1865.

The Solicitor-General—That is a true report?—It is.

With regard to the bottle labelled "Battley's Solution," you found an appreciable quantity of antimony in a soluble form?—I did.

And you say in your report that you were at that time engaged in examining it for other substances?—Yes.

Did you, in fact, complete your examination for other substances to the best of your judgment and ability?—I did.

What did you look for in particular?—I looked for mercury and other metals. I searched for aconite, and also for conium.

Did you find any of these?—I found aconite.

How do you proceed in order to search for aconite in another substance; is it by chemical or other processes?—Chiefly by the taste of the extract obtained by evaporation, and by its physiological action upon small animals.

Just explain to us as distinctly as you can how you proceeded with this fluid in order to determine whether aconite was present in it or not?—A portion of it was evaporated to dryness, and the extract thus obtained was very carefully tasted, and its effects upon the tongue and upon the lips ascertained by applying it to them. Dr. F. Penny

And what were the effects?—A tingling and benumbing sensation, characteristic of aconite. Another process was also carried out with the extract which remained after the evaporation. To another portion of the extract dissolved in water ammonia was added, and a precipitate was separated and examined in the same way, after being dissolved in diluted hydrochloric acid. The benumbing and tingling sensation produced by that precipitate was very slight. But the ammoniacal liquid, after the separation of the precipitate, was treated with hydrochloric acid and evaporated, and the sensation produced by this residue was very strong and distinct. With a view to ascertain the character of aconite when mixed with Battley, I mixed known quantities of Fleming's Tincture of Aconite with Battley's Solution, treating the mixtures in the same way. I took mixtures from 5 per cent. to 40 per cent. Fleming's is a strong tincture. The results were precisely similar, but when the proportion was equal to 10 per cent. the sensation was by no means so strong. The addition of Fleming's Tincture of Aconite to genuine Battley to the extent of 10 per cent. of the mixture gave a sensation very much stronger than the liquid in this bottle, but the sensations were the same. I draw the conclusion that in this solution there was more than 5 per cent., but less than 10 per cent.

The sensation of benumbing and tingling is peculiarly characteristic of aconite?—Yes; it is well known to be so.

I believe you procured some pure specimens of Battley's Solution, and treated it without mixture of any kind in the same way as the contents of that bottle?—I purchased Battley's Solution at several establishments in Glasgow, and also in London. I examined all these samples, and I found that in no case were such sensations produced by the extract obtained as described.

Did you buy some of it from Murdoch Brothers, of Sauchiehall Street?—I did. I found no trace of the presence of antimony in the genuine Battley.

Your examination satisfied you that it contained neither antimony nor aconite?—That is so.

[Shown No. 85]—And your examination of the contents of that bottle satisfied you that it contained both antimony and aconite?—Yes.

You made some further experiments with the contents of the

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bottle upon rabbits, I believe?—I made in all about twenty-five experiments upon rabbits.

The Lord Justice-Clerk—With the extract obtained from that bottle?—And from genuine Battley and various mixtures.

The Solicitor-General—Just take genuine Battley first. Did it kill any rabbits or not?—Genuine Battley did not kill the rabbits, with a dose even equal to fifty grains.

What effect did the contents of bottle No. 85 produce?—According to the dose.

What dose killed?—Forty grains injected under the skin of the back, between the skin and the muscles.

You experimented with the contents of that bottle on the rabbits in the precise way that you did with genuine Battley?—Precisely.

Did you experiment in the same way with genuine Battley to which you had added Fleming's Tincture of Aconite?—I did. I made in all about ten experiments with the genuine Battley mixed with Fleming's Tincture, in different proportions. In one set of experiments I injected a mixture of Battley into three young rabbits, and in a third into full-grown rabbits. In the first set of experiments with young rabbits I injected ten grains of genuine Battley's Solution; in the second experiment with a young rabbit I injected ten grains of this Battley; and in the third experiment I injected a mixture composed of nine grains of genuine Battley and one grain of Fleming's Tincture of Aconite. With the old rabbits I proceeded in a similar manner, using forty grains instead of ten grains as with the young rabbits—first, with genuine Battley; and second, with the mixture; and third, with genuine Battley mixed with aconite. The general result was that genuine Battley did not kill.

The symptoms manifested by the rabbits, both old and young, subjected to the action of genuine Battley were simple in character and few in number, and were not materially altered by variation of dose. The animal soon assumed a prone position, resting on belly and chest, and the head invariably resting on the ground. The fore legs were either sprawling or gathered under the body, the hind legs always extended sideways; the eyes remained open, and the pupils were natural and not contracted; the breathing was invariably gentle; no cries were uttered, and no convulsions or spasms of the body were apparent. There was a complete condition of inanity, and, with the exception of the open state of the eyes, the animal seemed to be in a state of profound sleep. There was no indication of spasmodic movement; but when aroused or urged to motion, the movements were performed in a crawling, tortoise-like manner. In this state the animal remained for several hours, and then gradually recovered.

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The effects produced by the mixture of genuine Battley with aconite were as follows, and presented a striking contrast to the symptoms resulting from pure Battley:—Very soon after the injection the animal became restless and uneasy, and then began to crouch, resting on its flank, with the hind legs extended laterally, and keeping its head erect. It next assumed a sitting posture in an attitude of watchful expectancy, and commenced to twitch its lips and move its jaws as if chewing. Suddenly it staggers, rolls over, and quickly regains its feet. Saliva begins to flow from the mouth, and soon after piteous and peculiar choking cries are emitted. The head is retracted, and the breathing is painfully laborious. Convulsions now set in, followed by intervals during which the limbs are quite relaxed, and the animal lies helpless on its side. Frantic leaps are now frequently taken, accompanied by movements of a paralytic character. A state of utter prostration also occurs, variable in duration; and then a strong convulsion comes on, during which, or immediately after, the animal expires, the limbs becoming instantly relaxed.

Then as to the results produced by the contents of No. 85, the symptoms exhibited by the rabbits subjected to this liquid corresponded in every important respect with the effects produced by the above mixture, and were so clearly similar that it was impossible to detect any essential difference in them.

In the case of the small rabbits the experiments were made at the same time, but, without knowing beforehand, it would not have been possible to distinguish the animal under the influence of the contents of No. 85 from the one under the influence of the mixture of Battley and aconite.

These results leave no doubt on my mind—joined with the taste and sensation—that bottle No. 85 contained aconite. All the other experiments, which were numerous and varied, confirmed these results.

The Solicitor-General—That bottle was about half-full, I think, when you got it?—It contained 1 ounce 5 drachms.

What, according to your judgment, as the result of your examination, was the whole quantity of aconite in that amount of liquid?—Between 5 and 10 per cent.

Cross-examined by Mr. Clark—You said the bottle was half-full when you got it?—How high would it come upon the label?—I could not tell that.

Would it go up half-way to the label?—No; it would not come to it.

Aconite is a vegetable poison?—Yes.

What is the popular name of it?—Monkshood.

Were the experiments with the rabbits you spoke of made with the Battley's Solution purchased by yourself from Murdoch Brothers?—They were made with the Battley purchased by

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myself from the Apothecaries' Hall, or from other places, not from Murdoch Brothers.

Battley's Sedative Solution is a preparation of opium?—It is.

If you pursue Reinsch's test for the detection of antimony, and obtain, in the course of that process, a deposit upon copper foil, is that deposit conclusive of the presence of antimony?—It would not be so to my mind.

Whatever the deposit might be?—Whatever the deposit might be.

Why is that so?—Because other matters are liable to give a deposit similar in appearance to the eye.

The only test that you have for antimony, when you pursue Reinsch's process to the extent of getting a deposit on the wire, is the colour that is seen on the foil?—Yes; the violet colour on the copper.

But that is not conclusive of antimony, because the same colour may be produced by other substances?—It may.

What are these substances—give us an example of them?—Oily matters; animal oils particularly.

Re-examined by the Solicitor-General—[Shown No. 142]—That is a small phial containing a dark-coloured liquid. It was delivered to me on the 16th May, 1865, by John M'Millan, assistant to Murdoch Brothers.

Did you make an analysis of that?—I did, and it was similar to the Battley's which I purchased myself in every respect.

That contained no antimony and no aconite?—None.

[Shown No. 143]—That is a bottle containing Battley's Solution which you yourself purchased at Murdoch Brothers?—Yes; it was purchased by myself.

Have you analysed that?—I did: it was in no respect different from that which was in No. 142, brought to me by Mr. Macmillan.

The Lord Justice-Clerk—It corresponded in every respect with the genuine Battley which you purchased elsewhere?—Yes.

And with which you had made experiments on the rabbits?—Yes.

The Solicitor-General—From whom did you get that bottle No. 85, of which we have heard so much?—On Thursday, 13th April, Alexander M'Call, Superintendent of Police, delivered it to me at my laboratory.

Can you tell me in a general way how much liquid there was in it at the time?—It was much below the lower edge of the original label.

Can you tell me how much the bottle will contain when full?—The entire capacity of the bottle was $5\frac{1}{2}$ ounces. The top red line on the left side marked at the time by myself, as shown me by one of the witnesses, indicates $2\frac{3}{4}$ ounces; and the lower

red line on the right side marked at the time by myself, as shown by the other witness, is $2\frac{1}{2}$ ounces. I have seen these two witnesses in Court. When I received it, it contained between $1\frac{1}{2}$ and $1\frac{3}{4}$ ounces. Dr. F. Penny

Did you send some of the contents of that bottle to Dr. Maclagan?—I did.

The Lord Justice-Clerk—Did you put it into his own hands, or send it?—I gave up possession of the bottle to the officer Murray, after I had completed all my experiments, last week. I marked on this label the date when I gave it up, which was on the 20th of June.

Was there anything in the bottle then?—Yes; there must have been about a drachm.

The Solicitor-General—Was it sealed up?—Yes; and bore my seal. Dr. Maclagan got it with the seal unbroken.

There was nothing in the contents which you sent to him that was not in it when it was handed to him originally?—No; it was precisely in the same condition. I was present at the experiments made in the University here upon rabbits by Dr. Maclagan, in presence of Dr. Christison, Dr. Littlejohn, and Dr. Gamgee. These experiments were precisely similar to mine, and were made with the same result, except that death was more speedy from the larger dose given. These experiments were made with the mixture in the bottle, the genuine Battley, and the Battley to which the tincture of aconite had been added.

These experiments which you witnessed, being exactly the same as your own, confirmed the opinion which you expressed, that aconite was present in the bottle?—Entirely so.

With the exception of the antimony and the aconite which you detected, the contents of the bottle were, I presume, similar to the genuine Battley?—I examined it for the leading constituents of opium, and I found them there.

In fact, it would be correct to say that it differed from genuine Battley, so far as you could see, only in the presence of the antimony and the aconite?—It did.

[The medical witnesses were here asked to leave the Court, as the examination of Dr. Penny was now to be directed to matter of opinion.]

The Solicitor-General—In regard to Mrs. Pritchard's case, what are your conclusions as stated in your report?—[Witness reads remainder of Report No. 3.]

Having deliberately considered the results of my experiments upon the articles subjected to analysis, I have arrived at the following conclusions:—

1st. That all the parts of the body examined by me contained antimony.

2nd. That in the dried contents of the intestines the antimony was partly in a form soluble in water, and most likely in the

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state of tartar emetic or tartarised antimony. In the liver, kidney, and the other viscera, the antimony was deposited in a state insoluble in water.

3rd. That the contents of the intestines contained the largest proportion of antimony, next the heart, then the liver, kidney, and spleen; less in the stomach; and the smallest quantity in the rectum, brain, and blood. Not knowing the total weight either of the contents of the intestines or of the several organs here enumerated, I was unable to calculate the total quantity of antimony in these matters, either separately or conjoined.

4th. That the contents of the intestines, the spleen, the heart, the blood, and the kidney contained mercury; but that none of this metal was present in the liver, stomach, rectum, and brain. That, in all these matters, the mercury was in a state insoluble in water; and this result is quite consistent with the known property of mercury to form insoluble combinations with animal substances, even though it had been taken or administered in a soluble form during life.

5th. That the largest quantity of mercury was contained in the contents of the intestines, next in the spleen and heart, and extremely minute traces in the blood and kidney.

6th. That the presence of antimony and mercury in the contents of the intestines indicates that these metals were being passed from the deceased up to the time of death.

7th. That no other metallic poison was contained in the matter examined.

8th. That no aconite, morphia, or other vegetable poison, discoverable by chemical processes, was contained either in the contents of the intestines or in the stomach.

9th. Not having detected any organic poison either in the said contents of the intestines or in the stomach, it was not necessary to examine the other articles for such poisons, and more especially as the quantities of these matters received for analysis were too small to hold out any prospect of a successful result.

All this I certify on soul and conscience.

Glasgow, 9th May, 1865. FREDERICK PENNY.

Examination resumed—You heard read by Dr. Maclagan the report of the *post-mortem* examination of this lady's body?—I did.

And I believe you have had previously an opportunity of studying it?—I have.

The result of that report is that the *post-mortem* appearances exhibited nothing to account for death?—That is the result of the report.

You heard the evidence as to the symptoms exhibited by

Mrs. Pritchard from the time that she was taken ill in January down to the time of her death?—I did. Dr. F. Penny

Are these symptoms suggestive to you of the action of any poison with which you are acquainted?—They correspond with those of tartar emetic.

That is another name for tartarised antimony?—Yes; tartarised antimony is one of the forms, and the common form, of antimony soluble in water.

You detected the presence of mercury by your chemical examination?—I did.

Did you hear anything in the evidence which accounted for that?—Yes; I did.

What was that?—The powders prescribed by Dr. Paterson containing calomel and *hydrargyrum cum creta*.

Assuming that such powders had been administered shortly before death, that would correspond with the traces of mercury which you found afterwards?—It would—to the extent given.

Supposing that antimony had been applied externally to Mrs. Pritchard's neck in the month of October, when she was complaining of the swelling of a gland in her neck, would that account for any of the results of your chemical analysis?—I have no experience in that direction; I am not qualified to answer that question.

You confined yourself to the fact that these substances were detected by chemical analysis, and to the opinion, as the result of your study on the subject of the symptoms attending the administration of such a poison?—Yes.

And I understand you to say that the symptoms throughout Mrs. Pritchard's illness—I speak only of the time after Christmas down to her death—corresponded with the symptoms produced by the administration of antimony?—So far as the scope of my experience goes from study, they did.

You also heard the account of Mrs. Taylor's illness. Do the symptoms spoken to by the witnesses who gave that account suggest the operation and action of any poison to your mind?—Merely the vomiting—from antimony.

There were other symptoms in the case of Mrs. Taylor—the comatose state in which she was?—I am not prepared to speak to that.

In regard to Mrs. Taylor's case, what were your conclusions as stated in your report?—[Witness reads remainder of Report No. 6.]

From a careful consideration of the results of the analysis and examination of the above-named articles, I am clearly of opinion that they are conclusive in showing—

1st. That all the articles subjected to analysis contained antimony.

2nd. That the dried contents of the intestines contained the

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largest portion of antimony; next, the liver and stomach; then the blood, and in less quantity in the heart, kidney, and rectum.

3rd. That part of the antimony in the contents of the intestines is in a form soluble in water.

4th. That the kidney was the only article in which mercury was detected.

5th. That neither the stomach nor the contents of the intestines contained aconite or morphia in quantity sufficient to be detected by known chemical processes.

6th. That the articles subjected to analysis contained no other metallic poison than antimony and mercury as reported above.

To the truth of this report I hereby certify on soul and conscience.

Glasgow, 9th May, 1865. FREDERICK PENNY.

Examination resumed—Is that the opinion truly entertained by you as the result of your examination?—It is.

You say the same in the concluding portion of your report regarding Mrs. Pritchard?—These are my conclusions.

Is there any other matter on which, as a chemist, you can give any other information from the evidence you have heard?—Nothing occurs to my mind beyond what I have stated.

Cross-examined by Mr. CLARK—Has aconite a bitter taste?—No.

Has antimony a burning taste?—It has, after a time, a metallic taste.

When it enters the mouth, has it a burning taste?—Not so far as I have tasted it. What it may be when it goes down the throat in sufficient quantity to poison I don't know.

Dr. Douglas Maclagan

Dr. DOUGLAS MACLAGAN, recalled, examined by the SOLICITOR-GENERAL—In regard to Mrs. Pritchard's case, what are your conclusions as stated in your report?—[Witness reads remainder of Report No. 2.]

From the experiments, the details of which are given above, I have been led to the following conclusions:—

1st. That Mrs. Pritchard had taken a large quantity of antimony in the form of tartar emetic.

2nd. That having regard to the absence in her case of any morbid appearances sufficient to account for death, and to the presence in it of a large quantity of a substance known to be capable of destroying life, her death must be ascribed to the action of antimony.

3rd. That it is most unlikely that this poison was taken in a single large dose. Had this been the case, I should have expected to have found some more decided evidence of irritant action in the mouth, throat, or alimentary canal.

4th. That from the extent to which the whole organs and fluids of the body were impregnated with it, it must have been taken in repeated doses, the aggregate of which must have amounted to a large quantity. Dr. Douglas Maclagan

5th. That from the large amount found in the liver, from its ready detection in the blood, and from its being found passing so copiously out of the body by the bile and urine, it is probable that some of the poison had been taken at no greater interval than a period of a few days previous to death.

6th. That I am inclined to believe that it had not been administered, at all events in any great quantity, within a few hours of her death. Had this been the case, I would have expected to have found at least some traces of it in the contents of the stomach, and more in the contents of the intestines; whereas none was found in the former, and the amount found in the latter seems to be amply accounted for by the bile impregnated with the poison discharged into them from the liver.

7th. That the period over which the administration had extended cannot be determined by mere chemical investigation, but must be deduced from the history of the case, with which I am unacquainted.

DOUGLAS MACLAGAN.

Examination resumed—You are now better acquainted with the history of the case, and have heard the account given in this place of the illness of Mrs. Pritchard?—Yes.

I am referring to the part of the evidence which relates to the illness after her return to Glasgow up to the time of her death. Does that account suggest to you as a medical man the cause of her death?—It suggests a confirmation of the opinion I had formed from my chemical and *post-mortem* examination.

Do the symptoms which she exhibited indicate the administration of antimony at an early period of the illness?—I think so. If I remember right, there was vomiting at a very early period of the illness—that was a characteristic symptom—and also muscular depression. Sickness and vomiting, and muscular depression are symptoms of the action of antimony.

Were there any other symptoms exhibiting the action of antimony which struck you?—There was irritation of the bowels and cramp in the extremities, which are symptoms characteristic of that poison.

Then is it your opinion, judging from these symptoms, that the administration of antimony began with the commencement of the illness after Christmas, and continued down to the time of her death?—I think it is most probable.

The LORD JUSTICE-CLERK—You mean the administration of antimony was going on during that period?—Yes; from time to time.

Dr. Douglas Maclagan

Then you think the symptoms she exhibited were such in all respects as you would have expected on the supposition that antimony was administered to her all along?—I think so.

Does the history of the case, as you have heard it in the evidence, and particularly of the symptoms which were manifested, suggest to your mind, as a medical man, any other cause of death?—There is no natural disease to which I can ascribe the death.

The Solicitor-General—The *post-mortem* examination did not indicate any natural disease whatever?—No natural disease that could account for her death. There was an arrested pulmonary disease that had existed years before; but that had obviously nothing to do with her death.

The result of the chemical examination accounted for her death in a manner entirely in accordance with the symptoms?—I think so.

Suppose that antimony had been externally applied to her neck in October last, when she was plagued with the swelling of a gland in the neck, would that in any way account for her illness, assuming that it was rubbed in to the extent of producing pustules on the skin?—I never saw antimony rubbed into the skin produce any of the constitutional effects of antimony.

And that would not account for the results of the chemical examination of the contents of the stomach and other organs?—Certainly not.

The Lord Justice-Clerk—It would not account for the symptoms exhibited between Christmas and the death?—No.

The Solicitor-General—Suppose that years ago Mrs. Pritchard used antimony internally on one occasion, when she had a tendency to inflammation of the eyelids, would that be in any way connected with the symptoms of her illness?—No; it would have nothing to do with it.

You heard Dr. Paterson mention the powders which he had prescribed for her in the beginning of March?—Yes; calomel and grey powder.

Suppose these powders to have been administered, would they account for the mercury which was found by your chemical analysis?—Certainly.

Had that mercury, in your opinion, anything to do with causing death?—I do not think that there was any evidence of its having had any concern with the death.

But the traces of mercury which you found were such as you would expect in a patient who died while such powers were in the course of being administered?—Yes.

Were these proper powders to administer?—Well, it is quite a usual prescription. I presume you mean were they a safe prescription, generally speaking.

I am not asking your opinion on this particular case at which you were not present; but they are a safe and common prescription?—Yes. Dr. Douglas Maclagan

Then nothing in the history of the case as you have heard it in the evidence occurs to throw any doubt upon the conclusion at which you arrived by your chemical analysis?—Everything therein tends to confirm it decidedly.

The symptoms during the whole of her illness, and the result of the chemical analysis, are in harmony with each other, and both concur in pointing to antimony as the cause of death?—I think so.

Was there anything in the case to indicate to a medical man that she was labouring under gastric fever?—No.

Do you mean that a medical man of ordinary intelligence attending her during the illness which you have heard described would not have concluded that she was labouring under fever?—I should think not.

Is there anything in the account of her illness to suggest gastric fever or any other fever to your mind at all?—No.

Now, will you read the concluding part of your report respecting the case of Mrs. Taylor?—[Reads remainder of Report No. 5.]

From the above experiments I am led to the following conclusions:—

1. That Mrs. Taylor had taken a considerable quantity of antimony in the form of tartar emetic.

2. That, having regard to the absence of any morbid appearances sufficient to account for death, and to the presence in the body of a considerable quantity of a substance known to be capable of destroying life, her death must be ascribed to the action of antimony.

3. That it is most likely that this was not taken in a single large dose. Had this been the case, I should have expected to have found some morbid appearances indicative of the irritant nature of the drug. It appears to me more probable, from the amount found in the body, that it must have been taken in a succession of doses, not great enough individually to produce local irritant effects, but amounting in the aggregate to a large quantity. It is right, however, to add that a single copious dose, not large enough to produce marked local effects, might give rise to fatal depression of the system in a woman aged seventy-one, whose heart was enlarged and somewhat dilated.

4. That, from the fact that antimony was found copiously in the liver, was readily detected in the blood, and existed to the amount of a quarter of a grain in the stomach, some at least of the tartar emetic had been taken, probably within a few hours before death.

5. That, from chemical investigations, I am unable to say

Dr. Douglas Maclagan

over what length of time the administration of the antimony had extended, supposing it, as I believe, to have been taken in a succession of doses. This can be learned only from a consideration of the history of the case, with which I am unacquainted.

DOUGLAS MACLAGAN.

Examination resumed—That is your conscientious opinion?—Yes.

You heard and attended to the evidence respecting Mrs. Taylor also?—Yes.

What cause of death does that indicate to your mind?—I am inclined to think, from the account I have heard of the case, that there was something more than antimony at the last.

Antimony there must have been, for you found it?—Yes.

You were inclined to think that there must have been something more than antimony; do you mean to say that you have doubt or hesitation, or do you actually think it?—I think there was some powerful depressing poison besides antimony. The symptoms might be produced by aconite.

Aconite is a narcotic?—It is a sedative rather; but it is commonly described as a narcotic in books. It does not always affect the brain by any means, which is the proper meaning of the word narcotic.

The LORD JUSTICE-CLERK—What are its effects?—Its effects are to lower the circulation especially, and produce a paralysed condition of the muscles. The fatal result, I think, is generally due to its effect upon the heart as a muscular organ.

The SOLICITOR-GENERAL—Just mention the symptoms in Mrs. Taylor's case which you think were such as aconite would have produced.—I think her being found with her head fallen on her breast, hardly observed to breathe, her pulse almost if not absolutely imperceptible, and the dozing torpid state in which she was—

The LORD JUSTICE-CLERK—Coma, I suppose?—I am not sure if it was coma; I rather think it was the torpid condition of the brain from the lowered circulation. All these are such as would have resulted from aconite.

The SOLICITOR-GENERAL—In short, they are the symptoms produced by the action of aconite?—Yes; but aconite, like most poisons, varies a little in the symptoms it produces in different individuals.

You heard the result of the analysis of the liquid in bottle No. 85 by Dr. Penny, and you yourself experimented with it upon rabbits?—Yes; we made a series of experiments.

Do you corroborate what Dr. Penny said about the result of his experiments?—Yes.

Would the aconite and the antimony existing in that liquid

account for the symptoms under which Mrs. Taylor appeared to be labouring on the evening of the 24th and the morning of the 25th February?—That must depend upon the quantity which she took. What would represent over five or ten grains of the tincture of aconite contained in it would do it. I say over five, because that has been indicated as a safe quantity of Fleming's Tincture to be given, though I do not think it safe. Dr. Douglas Maclagan

Assuming aconite to have been taken, would you expect to have found it upon the chemical analysis which you made?—I might not; these organic poisons are very often not found, though they are known to have been taken. I refer to the whole class of alkaloids.

Antimony passes pretty rapidly out of the system?—Yes; a good part of it passes pretty rapidly out of the system in vomiting and purging, and by the urine.

And in that way the patient is weakened and ultimately destroyed?—Yes.

Would the administration of opium in any way interfere with the symptoms exhibited by the person who had taken antimony?—It is possible it might make the tendency to vomit less, and also interfere with its effects upon the bowels.

But would it, even in conjunction with opium, exercise a pernicious influence on the patient?—Yes; the depressing effect upon the muscular tissue would remain.

Have you ever known a patient under the combined influence of opium, aconite, and antimony?—No.

But if these poisons—opium, aconite, and antimony—were administered so as to operate at the same time, are the symptoms which Mrs. Taylor exhibited such as your science would lead you to anticipate?—I think so, because the aconite, being the more powerful, would probably predominate.

The *post-mortem* appearances were not such as to indicate apoplexy?—No.

When a patient dies of apoplexy, will a *post-mortem* examination indicate that disease?—In most cases, but not invariably.

And all you can say, therefore, is that the signs of apoplexy were not indicated by the appearances you saw?—That is all. But that is not absolutely conclusive.

By most cases you mean the large majority of cases?—Yes.

Are the exceptions very rare?—I have not met in my own practice, where I had an opportunity of making a *post-mortem* examination, any case where I did not find indications of apoplexy, but there are accounts of such cases.

Was there anything in the symptoms which Mrs. Taylor manifested during life shortly before her death, or at any time before her death, which indicated apoplexy?—Certainly not.

Dr. Douglas Maclagan

Then, taking these appearances before death and the *post-mortem* examination together, is the idea of apoplexy satisfactorily excluded in your judgment?—Yes.

The Lord Justice-Clerk—That is to say, you are satisfied she did not die of apoplexy?—Yes.

Was there anything in her symptoms which, in your judgment, would have led any medical man to think of apoplexy?—Not if he heard the account given by Dr. Paterson.

I am not asking your opinion upon the accuracy of the evidence; but, assuming it to be correct, would any man, seeing what Dr. Paterson described, think of apoplexy as the cause?—If I had seen what Dr. Paterson saw, I would not have concluded that it was apoplexy, and I do not think any other man would.

The purport of the question is whether it is a thing about which there could have been any reasonable difference of opinion. Doctors do differ; and I wanted to know whether this was a matter about which there could be a difference of opinion among intelligent men?—I don't think so.

The Solicitor-General—Did you taste the aconite in bottle No. 85?—I did.

Did it produce the sensation which aconite produces?—It did.

You are acquainted with the tingling and benumbing sensation?—Yes.

You are not likely to mistake it?—I think not.

Did that, irrespective of the experiments on the rabbits, satisfy you that there was aconite there?—I should certainly have inferred that, without any experiment upon the rabbits.

Without any doubt?—Yes.

And the experiments upon the rabbits only went to confirm that?—Yes.

Did you get that bottle brought to you by the officer Murray with the seal unbroken?—Yes.

It is broken now.—I endeavoured to keep the seal as entire as possible.

Has aconite any effect in paralysing a patient?—It does produce paralysis of the muscles, and sometimes convulsions.

You are acquainted with Battley's Solution?—Yes; it is a very well-known medicine.

I presume it is taken for all the purposes for which opium is used?—It is a form of opium.

What is a common dose of it?—I believe it is stated by those who prepare it as being a third stronger than laudanum, but in practice I have not found it to be so.

What would be a good dose for an old lady of seventy?—I would not give so much, perhaps, to an old lady as to a strong man. The medium dose of laudanum is commonly stated to be twenty-five drops.

The Lord Justice-Clerk—That depends upon habit entirely

and upon the circumstances of the case?—Yes; I would give the patient a little less of Battley than of laudanum—about twenty drops or so. Dr. Douglas Maclagan

The Solicitor-General—Generally speaking, it has the same effects as laudanum?—Yes.

Cross-examined by Mr. Clark—You saw no indications of poisoning by opium in Mrs. Taylor's case?—No precise indications.

It did not appear as if she had taken any opium?—I cannot say that she had not taken any, but I did not observe any symptoms which specially pointed to opium.

Were the symptoms which you saw exclusively the symptoms of aconite, as you thought?—Well, it is very difficult to say; but I think aconite was the leading feature in the final part of the case.

Did the symptoms in the course of the illness, as described by Dr. Paterson, not indicate poison by opium or laudanum at all?—I think not.

The Lord Justice-Clerk—You mean that you now think that they don't indicate poisoning by opium?—Yes.

Mr. Clark—Are they inconsistent with poisoning by opium?—I do not know that they are inconsistent with her having had opium; but they are not consistent certainly with poisoning by opium, and with the ordinary symptoms.

Then you could not say that she had not taken opium?—Certainly not. Only that the symptoms of aconite predominated.

If she had taken opium alone, what would you have expected to find different from what you heard?—I would have expected to have found the pulse slow and full, and probably the breathing laborious and stertorous.

But though these were absent, you cannot say that opium was not taken?—No; particularly if the person was accustomed to the use of opium.

Dr. Paterson said her breathing was laborious?—I think not; my impression was that he stated her breathing was barely perceptible.

[The Lord Justice-Clerk here read the notes he had taken of Dr. Paterson's evidence, from which it appeared that that gentleman had used the expression that the breathing was laborious.]

Mr. Clark—It seems, then, that her breathing was laborious. What did that indicate?—It indicated some narcotic poison.

Keeping that symptom in view, what modification does that make upon your opinion?—Not much, because of the condition of the pulse, which shows the action of aconite upon the heart.

You say it does not make much modification; does it make any?—I do not think it does.

You indicated first that you understood it was easy, light

Dr. Douglas Maclagan

breathing?—I indicated that the breathing was very feeble, but there I was wrong.

Therefore not laborious?—Not in the common case.

Is laborious breathing an indication of opium?—It is an indication of many things besides opium.

Did Dr. Paterson not also say that the breathing became stertorous?—I do not think so.

You observed that Dr. Paterson made use of the word coma?—Yes.

Does that indicate opium?—Yes.

Not aconite?—Not generally; but here it was more oppression than true coma.

Then you think that Dr. Paterson was wrong when he described it as coma?—Coma is used by many persons to describe insensibility.

Did Dr. Paterson use it scientifically?—Probably.

But you pointed to the absence of coma as indicative of poisoning by aconite?—I spoke of her being in a torpid condition, which I think was connected with the weakened state of the circulation, not from fulness of the brain.

Now, in regard to the detection of organic poisons, you say that aconite is one?—Yes.

And it is not easily detected by chemical analysis?—It can be detected.

By chemical analysis?—Not by chemical tests.

Opium is another vegetable poison?—Yes.

When it is given it is absorbed into the system?—Yes.

And so a person may be poisoned by opium without any traces of it remaining in the system?—In the stomach.

But in the system?—I have not been able to find any in the system, though I have made experiments for that purpose.

A person may be poisoned by opium without any trace remaining in the stomach or system capable of being detected by chemical analysis?—Certainly.

Antimony, of course, is a mineral poison?—Yes.

And it is more easily detected?—Yes; all mineral poisons are known to be so.

A person cannot be poisoned with antimony without the antimony being capable of being detected in the system?—I am not quite sure that I would be prepared to say that. I can only reason analogically, and I am not prepared to accede to that statement broadly, because I know that a person may be poisoned with arsenic without its being detected.

Do you known any case in which there was poisoning by antimony without the antimony being found?—I cannot recollect of any such case.

There was a very large quantity of antimony found here in both cases?—The quantity was considerable.

But the expectation is that if a person is poisoned by antimony chemical analysis will detect the antimony?—Yes. Dr. Douglas Maclagan

It is possible there may be an exception, but you have not yet known it?—It is possible.

The pupils of Mrs. Taylor's eyes are mentioned as being contracted?—Yes.

Is that an indication of poisoning by opium?—Yes; but it occurs in aconite too.

Is it a characteristic of poisoning by aconite?—It seems to have been observed in a considerable number of cases, but they vary a good deal in that respect.

In short, I understand there is a question as to whether aconite does contract the pupils of the eyes?—There is a question; but that seems to arise from people having observed the symptoms at different stages, and the probability is that contraction had been produced first, and then relaxation at the time all the muscular parts become relaxed, viz., at the time of death.

The Lord Justice-Clerk—You said that anything over five grains of Fleming's Tincture of Aconite would satisfactorily account for all the symptoms exhibited by Mrs. Taylor?—I mean the fatal symptoms at the end of the case.

Now, referring to bottle No. 85, how much of that liquid must she have taken in order to take equal to five grains of Fleming's Tincture?—If Dr. Penny's estimate be correct—and as I only made one experiment myself, I am not entitled to speak from my own knowledge—if his estimate be correct, that it contained from 5 to 10, say, 7 per cent., she would require to take 7, which is over 5, and that would give her 100 drops. I used the word "grains," though we don't measure such fluids by grains, because Dr. Penny used it in his estimate. It would be more correctly minims, which are measured drops.

Must it be all taken at once to produce these effects?—Aconite might be given in divided doses, and it might not prove fatal, though the same quantity was taken, because the depressing effect of one dose might have gone off before the second dose was given.

Then you are speaking of a single dose?—I am speaking of single doses.

Mr. Clark—Aconite is applied externally in some cases, such as neuralgia?—Yes; there is a liniment in the Pharmacopœia which is of about the same strength as Fleming's Tincture.

The Lord Justice-Clerk—Are 100 drops of Battley's Solution an unusual quantity for a person to take who has been in the habit of using it for a long time?—No, my lord; there are many opium eaters who would not thank you for 100 drops.

I am speaking of a person who has been in the habit of taking it in moderation. Would 100 drops be too much for

Dr. Douglas Maclagan

such a person?—He could take 100 drops quite well, if in the habit of using it.

Would 100 drops be a large quantity?—100 drops would rather more than fill an average-sized teaspoon.

Dr. Henry D. Littlejohn

Dr. Henry Duncan Littlejohn, recalled, examined by the Solicitor-General—I am surgeon of the Edinburgh Police. I acted along with Professor Maclagan in making the *post-mortem* examination of Mrs. Pritchard and Mrs. Taylor, and signed the reports along with him. I concur in these reports as being true.

Now, take the case of Mrs. Pritchard first. Does that report indicate in any way that the lady had been ill of gastric fever at the time of her death?—It does not. There is nothing to suggest it.

You took no part in making the chemical analysis?—I did not.

But you have seen the report of that analysis, and heard it read?—I have.

You have also heard the whole evidence in this trial?—I have.

Now, attending to the evidence respecting Mrs. Pritchard's symptoms during her illness, from her return to Glasgow after Christmas down to the time of her death, what in your opinion was the cause of her death?—Antimony administered in small quantities, and continuously.

Do you mean from the commencement of the illness down to the time of the death?—Yes.

The Lord Justice-Clerk—That is from about Christmas-time till her death?—Yes.

The Solicitor-General—Supposing that to have been so, and that the poison was administered occasionally during all that time, the symptoms are exactly such as you should have expected?—They are exactly such.

Does any other way of accounting for these symptoms during that period occur to your mind as a medical man?—No; I cannot account for them in any other way.

That way entirely accounts for them?—Entirely.

And the chemical analysis is, of course, such as, upon the same supposition, you should have expected?—Quite.

You also heard the evidence regarding Mrs. Taylor's death—her illness before death, and such an account of her death as we have had here?—I did.

What opinion did you, as a medical man, form from the symptoms in her case as to the cause of her death?—I had greater difficulty. It seemed to me that she might possibly have died from a dose of antimony administered shortly before death, or else from some of the sedative narcotic poisons.

Have you any difficulty in her case in arriving at the opinion that she died from poison?—None whatever.

Evidence for Prosecution.

Dr. Henry D. Littlejohn

I understood that the difficulty you alluded to is as to the particular poison which killed her?—Clearly so.

Do you think the symptoms were mixed in her case—to some extent like the symptoms of narcotic poison, and to some extent like the symptoms of antimony?—I am inclined to believe they were.

Was there anything in her case to make you think that she died of apoplexy?—There was nothing to suggest that idea.

Were any of the distinctive characteristics of apoplexy present at all?—Not to my knowledge.

And the *post-mortem* examination did not indicate any such disease?—The *post-mortem* appearances did not.

Do you recognise, in the symptoms which Mrs. Taylor exhibited prior to her death, the action of antimony?—In the failure of circulation I certainly do, and in the great depression and spasms.

And in the state of insensibility in which she was?—Yes; in the later stages of antimonial poisoning we have generally a state of insensibility.

You heard one of the servants describe the sensations she felt on taking a bit of cheese on one occasion—a hot taste in her mouth like pepper, and a burning sensation in the throat. Do you form any opinion from that as to what might be in the cheese?—Not very decidedly. It suggests a large quantity of antimony, and it also suggests a strong dose of narcotic poison.

The Lord Justice-Clerk—It suggests many things?—Yes, my lord; many things besides cheese.

The Solicitor-General—And in one of the servants it produced violent sickness, lasting some hours.—That also is quite consistent with antimonial poisoning.

Would antimony produce a burning sensation in the throat?—It would, in large quantities.

I suppose you do not say that from actual experiment?—I do. I have tried it in pretty large quantity. The secondary effect is always felt in the throat.

And did it produce a burning sensation?—It did.

You also heard the account another servant gave of the effects following from some egg-flip she had swallowed. What do these symptoms convey to your mind?—They point to some substance resembling antimony, if not antimony itself. Antimony would account for them.

Does anything else occur to you at this moment that would do it?—Various other emetics.

Can tartar emetic be readily beaten up with egg-flip?—With great facility.

Rather a convenient medium for administering it?—Yes; it dissolves readily.

Dr. Pritchard.

Dr. Henry D. Littlejohn

Is it possible to convey antimony into the egg-flip in loaf sugar?—Antimony itself can be obtained in lump.

But could you put tartar emetic into the sugar in sufficient quantity to produce sickness?—It is quite possible, by dusting it on. The sugar, being porous, would take up a quantity.

It is a white powder?—It is; resembling powdered sugar.

If it was proposed not to kill by a dose, but to keep up the illness, a sufficient dose could be given in a lump of sugar?—Quite easily.

Cross-examined by Mr. Clark—Do I understand you to say that if two pieces of sugar were put into a cup of egg-flip, enough of antimony can be conveyed by dusting over the sugar with tartar emetic—so that a teaspoonful of the egg-flip could produce the effects mentioned?—It is quite possible. Egg-flip being a thick mucous substance, it would sustain mechanically a considerable quantity. You observe I am not speaking of the egg alone, but of the beat-up egg with hot water poured upon it.

Suppose egg-flip is made in the ordinary manner, can you convey into the cup as much antimony upon two pieces of sugar as, taking a spoonful of the liquid, would produce the effect you have heard?—I think it is quite possible.

Have you made any experiments to try it?—I have made no direct experiments to try it.

Have you made any indirect experiments?—I have not.

You have made no experiments at all?—We doctors are continually making experiments.

But I mean experiments for this purpose?—I have made no experiments with direct reference to this case.

Then this is mere theory?—Grounded on my experience of this drug.

Without knowing the quantity of hot water that was poured upon the egg-flip, or the extent to which the egg and water were mixed together, you say that it is possible that as much tartar emetic could be put upon two lumps of sugar as would produce the effects referred to?—I think it is quite possible. I may say that I am intimately acquainted with tartar emetic, and I hold I am entitled to answer the question the way I have done.

You say that Mrs. Taylor indicated poisoning by antimony and some other narcotic poisoning?—I said "or" some other.

Is opium included in sedative narcotic poisons?—It is not.

Do you mean to say that opium is not a sedative narcotic poison?—I do not regard it as such.

Is it not a narcotic?—It is.

And sedative?—It is not. I regard aconite as a sedative narcotic.

There was nothing in the symptoms inconsistent with her having taking opium?—Nothing.

Evidence for Prosecution.

Dr. Henry D. Littlejohn

You are inclined to the opinion that, besides opium, there was some other poison?—I am.

The Lord Justice-Clerk—There is nothing impossible in Mrs. Taylor having taken opium, and that contributing to produce the symptoms?—That is so.

Dr. James Paterson

Dr. James Paterson, recalled, examined by the Solicitor-General—Dr. Paterson, you heard the evidence in this case regarding the illness of the two ladies, and the symptoms?—I have.

Are you able to say, from the evidence, whether the impression you formed regarding Mrs. Pritchard was confirmed or contradicted?—In my opinion it has been very well confirmed, so far as regards poisoning from antimony.

Are you well acquainted, from your professional experience, with the action of antimony?—I have seen a good deal of it from the thirty years' experience I have had, both in external and internal use.

Have you seen it kill?—I have.

More than once?—I have seen two cases of children that were poisoned by having it accidentally administered to them by their parents.

These were the only cases of death from antimony?—Yes.

Are all the symptoms which you heard described in the case of Mrs. Pritchard such as would be produced by antimony?—Yes; in what is called chronic poisoning by small and repeated doses.

You include the whole symptoms from the beginning of the illness, soon after Christmas, down to the time of her death?—As far as I can judge from the general description, I certainly consider that there was antimony administered during the greater part of that time.

Her appearance when you saw her in February entirely accorded with that?—Yes.

Her appearance was just such as you would have expected in a person who had been the victim of chronic poisoning by antimony?—Yes.

And the symptoms down to her death were also such as would be so produced?—I certainly think so. That is my decided conviction.

As a medical man, from the evidence as to the illness, the *post-mortem* examination, and the chemical analysis, do you think that she was killed by poisoning by antimony?—That is my decided opinion.

What is your impression as to Mrs. Taylor's death?—My impression is that her death was caused by opium; but there might have been some other narcotic combined unknown to me.

Would aconite in combination with opium account for the symptoms you saw?—It would certainly contribute to the effect, and hurry the termination.

Dr. James Paterson

Would these two in combination well account for the symptoms you saw?—It never entered into my brain to suppose such a combination.

I suggest it to you now?—I believe it would.

You have not in your practice seen any person poisoned by a combination of aconite and opium?—Not to my knowledge. I have seen them poisoned by opium.

Do you know experimentally or only from study the action of aconite?—I tasted aconite just last week to determine its qualities.

You mean the effect of it?—Yes; of course I was very cautious in regard to the dose; I applied it to my tongue.

And what sensation did it produce?—In less than a minute there was an increased flow of saliva. This was immediately followed by a strong tingling sensation, accompanied by numbness; and I felt the effects of it for at least four hours afterwards.

You made such an acquaintance with the taste of it as would ensure your knowing it again?—Certainly; I will never forget it while I live.

Attending now to the history of Mrs. Taylor's case, together with what you saw of it yourself, do you think that any of the effects of antimony were exhibited by her?—I had not the slightest suspicion of antimony in any shape or form when I saw her.

Was what you saw inconsistent with antimony?—The narcotic effect was such by the time I saw her that I do not believe I could recognise the effect of antimony.

The narcotic effect would overpower the other?—Yes.

Would such a poison as laudanum interfere with the emetic effect of antimony?—I believe it would.

And also with its effect upon the bowels?—I think so.

Cross-examined by Mr. Clark—Was there stertorous breathing in Mrs. Taylor?—Latterly, there was what is called stertorous breathing, but I would rather describe it as oppressed breathing.

The Lord Justice-Clerk—What do you mean by "latterly"?—After she had the collapse after the first reaction.

Mr. Clark—You call it oppressed, but it is also called stertorous breathing or snoring?—Yes.

Snoring and stertorous breathing mean the same thing?—They do.

Re-examined by the Solicitor-General—In describing Mrs. Taylor's condition when you were examined before, you used the word coma?—Yes: I did.

What did you mean by the word?—It signifies insensibility—especially under opium.

Dr. James Paterson

And you were under the impression that it was opium alone?—My impression was that it was opium alone, or some of its preparations; it might be morphia.

The Lord Justice-Clerk—I would like to know before you go what your opinion is now, after hearing the whole evidence, as to the cause of Mrs. Taylor's death?—It strikes me that she died from the effects of the narcotic.

You mean the opium?—Yes; that is my opinion.

You think, then, that she had taken so much opium as to kill her, without the presence of any other poison?—That is my own impression.

The Solicitor-General—Would your lordship ask him if he means that she had no antimony or aconite?

The Lord Justice-Clerk—You are aware that there was a large quantity of antimony found in the body of Mrs. Taylor?—I understand that now, but I did not understand that at the time.

I hope you understand me. You have heard all the evidence which discloses the presence of antimony in Mrs. Taylor's body, and after having heard it, I want you to tell me what you now think was the cause of Mrs. Taylor's death?—I believe her death was occasioned by a combination of these two medicines—the antimony and the opium. A less dose of opium would have a greater effect, seeing that the body was previously under the influence of antimony.

A smaller dose of opium would have a fatal effect in consequence of the condition of the body, produced by antimony?—I certainly think so.

Suppose that the opium which Mrs. Taylor took had upwards of 5 per cent. of Fleming's Tincture of Aconite combined with it, what do you say then?—The effect would be much more rapid, certainly.

And more likely to be fatal?—Certainly.

Hugh Orr

25. Hugh Orr, examined by Mr. Crichton—I am agent for the City of Glasgow Bank in the Charing Cross Branch, Glasgow. Dr. Pritchard kept an account at our branch. His account was overdrawn £62 11s. 11d. on 20th March last. [Shown No. 101.] That is his bank pass-book. It was overdrawn on 9th January to the extent of £114. That was apparently being gradually reduced till 20th March, when it had been reduced to the sum already stated.

M. Balmain

26. Michael Balmain, examined by Mr. Crichton—I am assistant manager of the Clydesdale Banking Company, Glasgow. Dr. Pritchard had an account at our bank. [Shown pass-book No. 100.] On 20th March his account was overdrawn £131 12s. 4d. He was 2s. 4d. overdrawn in the beginning of November, and between that date and December he gradually overdrew the balance in three different sums.

W. Finlay

27. William Finlay, examined by Mr. Crichton—I am secretary to the Scottish Equitable Life Assurance Society, Edinburgh. Dr. Pritchard's life was insured in our office in two policies for £1500. He had got several advances on these policies, amounting to £255 in all. The last was £35 on 13th May, 1864. The one policy was issued in July, 1851, and the other in December, 1851.

David J. Macbrair

28. David Johnston Macbrair, examined by Mr. Gifford—I am a Solicitor before the Supreme Courts in Edinburgh, and am one of the testamentary trustees of the late David Cowan, of Portsmouth, He was a brother of Mrs. Taylor. The trust funds which we administered under Mr. Cowan's will amounted to £3000. They were held for Mrs. Taylor's behoof, exclusive of her husband's *jus mariti*. The whole sum was at Mrs. Taylor's disposal. It was invested in railway debentures, and she got the interest. She was entitled to the capital when she pleased. She applied for a portion of the capital about two months before June, 1864. She said she desired to give £500 of the money to Dr. Pritchard, her son-in-law, as he had either purchased or was going to purchase a house. The trustees agreed that she should get it, but not till after some time. She got up that £500 in June, 1864. The money was paid to herself, and she handed it to Dr. Pritchard. I attended a meeting held after Mrs. Taylor's funeral. [Shown No. 149.] That is the minute of that meeting. It is in my handwriting, except the preamble. The docquet at the end is in my handwriting. That is a correct representation of what took place at the meeting. It is subscribed by the trustees present, including Dr. Pritchard. The last part of the minute is to the following effect:—"Dr. Pritchard further stated that the £500 above mentioned had been given to him by the deceased in July last, subject to no condition; but he expressed his willingness to have it secured over the property, which it was applied in part purchase of, for the benefit of Mrs. Pritchard and family." That took place after the trustees had rather urged it on Dr. Pritchard. [Shown No. 81.] That is an extract of the will of Mrs. Taylor. It is dated 5th September, 1855. It provides, *inter alia*, that the trustees "shall divide and apply the free residue, to the extent of one-third part thereof, to my son Michael Waistell Taylor, presently residing in Penrith; and they shall invest in such way and manner, and in such securities or security of such kind as to them shall seem best, the other two-third parts, and pay the interest or annual produce thereof to my daughter, Mary Jane Taylor or Pritchard, spouse of Edward William Pritchard, surgeon in Hunmanby, and that upon her own receipt as alimentary to her, and exclusive of the *jus mariti* and right of administration of her husband; and, in the event of her predeceasing her husband, the said interest or annual produce to be paid to him

for the benefit of such of the children of my said daughter who may be under twenty-one years of age, and upon their attaining that age, for his own use as he may consider proper." I have no means of knowing if Dr. Pritchard knew the contents of that will. It was produced at the meeting at which he was present after Mrs. Taylor's funeral. David J. Macbrair

Cross-examined by Mr. Watson—Mrs. Taylor showed great anxiety to accommodate the prisoner with the £500. At the meeting after her death, Dr. Cowan said he understood Dr. Pritchard was to give a bond over the house. Dr. Pritchard said he had come under no such obligation; but he showed no unwillingness to do so. I thought he behaved exceedingly well in the matter.

29. David Taylor Alexander, examined by Mr. Gifford— I am a writer in Glasgow. I acted as agent for the prisoner in purchasing a dwelling-house at Whitsunday, 1864. The price was £2000. I carried through the transaction. £1600 was borrowed on security of the property, and the balance of £400 was handed to me by Dr. Pritchard. I understood he had got it from Mrs. Taylor, his mother-in-law. The transaction was settled on 9th July, 1864, when the money was paid over. David Taylor Alexander

Dr. James Moffat Cowan, recalled, examined by Mr. Crichton —I know the handwriting of the late Mrs. Taylor. [Shown Nos. 22, 23, 25, 26, 27, and 28.] These letters are all in Mrs. Taylor's handwriting. [Shown Nos. 19, 20, and 82.] These are three diaries, all in Dr. Pritchard's handwriting. I am quite familiar with his handwriting. In No. 19, under date 7th February, 1865, there is an entry, "Dr. J. M. C. here," and on Wednesday, 8th February, "Dr. J. M. C. left. Dr. Gairdner." "J. M. C." are my initials. On 9th February there is an entry, "Dr. Gairdner." Dr. James M. Cowan

30. Archibald Campbell Wells, examined by Mr. Gifford— I am a salesman in the employment of Burton & Henderson, Sauchiehall Street, Glasgow. [Shown No. 113.] This is the scroll day-book kept by them. Under date Monday, 13th February, there is an entry, "Dr. Pritchard—3 lb. sugar, 4d.; ½ lb. tapioca, 8d." The entry is in my handwriting. I have no recollection of selling these things; but I have no doubt I furnished them for him. The prisoner was a customer of Burton & Henderson. Sometimes one of the servants came to the shop, and sometimes another. A. C. Wells

31. John Henderson, examined by Mr. Gifford—I am a grocer in Glasgow, and a partner of the firm of Burton & Henderson. [Shown No. 95.] I sold this tapioca to John Murray, sheriff-officer. I attached a label to it in his presence, and signed it. I had got a stock of tapioca in the end of 1864, from which I had been selling early in 1865. The tapioca which I gave to Murray was of the same stock. J. Henderson

John M'Millan

32. JOHN M'MILLAN, examined by Mr. GIFFORD—I am an assistant to Murdoch Brothers, chemists, Glasgow. I knew Mary M'Leod as a servant of Dr. Pritchard's by sight. In February last she brought a bottle of the capacity of five ounces to be filled with Battley's Solution. It was on a day between 15th and 28th February last. [Shown No. 85.] This is like the bottle in every respect. It had a label on it when she brought it, but I am not sure whether it was our label or Duncan & Flockhart's. I filled it with Battley's Solution for her, and she paid 8s. 4d. for it. We got our Battley's Solution from Barron, Harvey, Beckett & Simpson, Giltspur Street, London. Our last invoice of Battley's Solution received from them before that was dated 13th December, 1864. I supplied Mary M'Leod from the shop bottle. I cannot be certain if the shop bottle was filled out of the Battley we had got on 13th December; but if it was not part of that supply, it was part of a previous supply which we got on 7th May. [Shown No. 142.] I remember filling that half-ounce phial with Battley's Solution for Dr. Penny. I took it from the Union Street stock, which I have reason to believe was the stock of May, 1864.

Cross-examined by Mr. CLARK—I remember filling the larger of these two bottles for an old lady some months before that. She told me to cork it well, as she had lost some of it the time before, in the train, by the cork coming out. She did not say she was going by the train when she asked me to fill this bottle.

R. B. Barron

33. RICHARD BANKES BARRON, examined by Mr. GIFFORD—I am a partner of Barron, Harvey, Beckett & Simpson, druggists, London. Murdoch Brothers, Glasgow, are customers. We have supplied them with Battley's Solution. We sent them a supply on 13th December, 1864, and 7th May, 1864. We got that Battley from the proprietors of the receipt, Battley & Watts. The two quantities we sent to Murdoch Brothers were got from Battley & Watts the days the orders came. It is a private receipt which has been used for many years. We get it in sealed bottles. Murdoch Brothers ordered 5-lb. bottles, and that was the reason we got it direct from Battley & Watts. The bottles were securely sealed and corked. It was not opened on our premises; we were merely agents for it; and we sent it to Murdoch Brothers as we got it from Battley & Watts.

W. M. Watts

34. WILLIAM MANNING WATTS, examined by Mr. GIFFORD—I am sole partner of the firm of Battley & Watts, wholesale druggists, London. I am proprietor of the receipt for manufacturing Battley's Solution, and I make it from that receipt, and sell it. It is a watery solution of opium. It contains no antimony or aconite—nothing but opium. It is sold in glass

bottles, which hold from 1 ounce to 50 lb. Each bottle when sold is sealed and labelled. W. M. Watts

Can you tell me the ingredients of it?—I think I must decline to do that.

The Lord Justice-Clerk—But there is neither antimony nor aconite, nor any poisonous ingredient in it, except opium?—Quite so.

By Mr. Gifford—We have sold some of it to Messrs. Barron, Harvey, Beckett & Simpson.

Alexander M'Call, recalled, examined by Mr. Crichton—[Shown Nos. 139, 140, 141, and 144]—I found No. 139, a black porter bottle, in the consulting-room. It was empty. No. 140, two pasteboard boxes; No. 141, a small wooden box; and No. 144, were all found in the consulting-room. Alex. M'Call

Cross-examined by Mr. Clark—These were all found in the unlocked press, with the exception of the black bottle, which was found in the locked press.

By Mr. Crichton—These were delivered to Dr. Penny in the same state in which I found them.

Dr. Frederick Penny, recalled, re-cross-examined by Mr. Clark—[Shown No. 13]—That is the prescription which Dr. Paterson read yesterday?—Yes. Dr. F. Penny

Just tell me what it contains.—Chlorodyne, 10 minims; solution of morphia, 30 minims; ipecacuanha wine, 30 minims; cinnamon water, 1 ounce.

Could that prescription have been made up from the articles which you analysed, and which you obtained from Mr. M'Call?—Certainly not.

There was nothing of that kind amongst them?—No.

You analysed all that you got?—Yes.

There was neither chlorodyne nor any of the other articles mentioned in the prescription given to you by Mr. M'Call?—No.

Declarations of the Prisoner.—The Clerk of Court then read the following declarations which had been emitted by the prisoner:—

No. I.

At Glasgow, the twenty-second day of March, eighteen hundred and sixty-five years.

In presence of Sir Archibald Alison, Baronet, Advocate, Sheriff of Lanarkshire.

Compeared a prisoner, who, being judicially admonished and examined, declares and says—My name is Edward William Pritchard. I am a native of Southsea, Hampshire, forty years of age, a doctor of medicine, member of the Royal College of Surgeons in London, and I reside at No. 131 Sauchiehall Street,

Glasgow; and the charge of having caused the death of his wife, Mary Jane Taylor or Pritchard, by feloniously administering poison to her, having been read over to him, *Declares*—I have always attended my wife in all her ailments of every kind during the whole period of our married lives, now fifteen years, and some of these illnesses were very severe, but I never saw her so ill as she was on this occasion which terminated fatally. As far as my judgment goes, her last illness was gastric fever, which commenced about the beginning of the present year.

I gave my wife no medicines during her illness, excepting wine, champagne, and brandy to support her strength; and I gave her no medicine myself at all. I trusted to nature to right itself, with the assistance of those restoratives. During the last six weeks her power of sleeping entirely went away. In order to procure sleep I gave her, at the commencement of her sleeplessness, a small quantity of chloroform, but it entirely disagreed with her, and I discontinued it. I then called in Dr. Gairdner, professor of medicine in the University, and he visited and saw her several times, and he continued to attend her till her old medical friend, who had attended her before our marriage, Dr. James Moffat Cowan, returned, and he came from Edinburgh to see her.

I then wrote to her mother to come to nurse her, and she arrived about the 11th of February last, and her arrival had a beneficial effect upon Mrs. Pritchard for some time, but still the sleeplessness continued; and shortly after her mother's death, which happened on the 25th of February, she relapsed and became much worse, and very apprehensive about herself, and she suggested to me the adoption of a medicine with which her mother was very familiar, Battley's Solution of Opium, but I declined to give her any without first consulting with Dr. James Paterson, who lived closed by. I saw him and consulted him, but he did not see Mrs. Pritchard on that occasion, and he did not approve of using the solution of opium. He prescribed granulated citrate of magnesia, calomel, mercury, and chalk, and I acted upon his advice and administered the medicine, and it seemed to have a beneficial effect.

Some time after, finding her sleeplessness still continued, I, at her own suggestion, applied a solution of atropine to the external parts around the eye, and it had a little effect for some time; but the effects soon ceased. After her mother's death she became rapidly worse; indeed, I ascribed her decease to the agitation consequent on her mother's decease. At the time of the last event, she was strongly impressed with the idea that she herself would die at the same time as her mother, and, in fact, she did die on a subsequent day at exactly the same hour.

On the night preceding her death she was apprehensive that

unless she got sleep she should not get through the night. I went for Dr. Paterson, who came immediately, and sat for a considerable time by the bedside, and afterwards dictated a prescription, which was made up at the Glasgow Apothecary Company's shop at Elmbank Street. The prescription will be found in my desk at home. It was for two draughts, one to be given four hours after the first if it did not succeed.

She got the first draught as prescribed by Dr. Paterson about ten o'clock, but she said after drinking that it was not half strong enough, and asked if she might have some of her mother's medicine.

I refused to give it her, and said I dare not do it.

I gave her a glass of port wine, and sat carefully watching for a short time. I then went downstairs and had supper; and, after being absent for some time, returned to see whether she had got sleep. I found her awake, and she wished me to give her something to make her sleep. I refused; and she then asked me to come to bed, as I must be tired with the weary nights of watching. It was then about twelve o'clock. I tried to persuade her that I should remain up to watch her till past the time that her mother had died; but to please her I got into bed, and almost immediately I fell asleep from the state of exhaustion I was in. I was awoke by her pulling at my beard, and found my wife struggling to get into bed.

She appeared to have got out of bed. She said, "Edward, I am faint." I assisted her into bed, and asked her how long I had been asleep; but she answered, "Don't speak—look! do you see my mother?" I said, "No; it is only a vision, only imagination," and asked if she had any pain. She said she felt cold, and that I need try no more skill, that I had failed this time, and that she was going to her mother. I got alarmed, and rang the bell violently, and the youngest servant came. I desired her to make a mustard plaster as quickly as she could; and on that my wife turned round and said, "Edward, I'm in my senses, mustard plasters will do no good": and almost immediately she fell back in my arms and died. The servant came with a mustard plaster and found her in that position.

I did not give her any other medicine at that time except a little brandy applied to her lips.

During the whole course of her illness I never gave her any antimony nor any medicine in which there was any preparation of antimony. Antimony is a poison; but it is used occasionally to subdue inflammation, and I applied it to her neck in October last, when she was plagued with a swelling of a gland in the neck. I rubbed it in externally on that occasion, and I have never given her any antimony since.

On that occasion I recommended change of air, and I gave

her a little bottle of antimony with her for the same purpose of rubbing in behind the ear. She went to Edinburgh at that time, and she returned to Glasgow very much better, and I have never seen the bottle of antimony since she got it away with her.

There was a considerable quantity of antimony in my repositories at the time of my wife's last illness, as I used it extensively in my practice, and the antimony was kept in a cupboard, of which I have the key, but which was not always locked. I did not see any of it brought out, or lying about, during her illness.

The cupboard where the antimony was is in the consulting-room on the ground flat, and she was so weak on the day of her death—Saturday—and on the Friday preceding, that I do not think she had strength to have gone to that cupboard herself. My wife took the antimony internally on one occasion when she had a tendency to inflammation of the eyelids. This was years ago, and I never knew her to use it internally except on this occasion. I never administered antimony internally to her on any occasion, nor any other substance calculated to injure or destroy life. All which I declare to be truth.

Edward William Pritchard.
A. Alison.
Jno. Gemmell.
P. Morton.
Bernard M'Lauchlin.

No. II.

At Glasgow, and within the North Prison there, on the twenty-first day of April, eighteen hundred and sixty-five years.

In presence of Sir Archibald Alison, Baronet, Advocate, Sheriff of Lanarkshire.

Compeared Edward William Pritchard, presently a prisoner in the prison of Glasgow, and the previous declaration, emitted by him upon the twenty-second day of March last in presence of the said Sheriff, which is now docqueted and subscribed as relative hereto, having been read over to him, and, he being again judicially admonished and examined, declares and says—I am entirely innocent of the charge referred to in said previous declaration, and I wish to add that to what is contained therein—as far as my memory goes, the declaration now read conveys correctly what I then said, and I adhere to the whole statements therein contained; and the charge of having, on several or one or more occasions between the tenth and twenty-fifth days of February, 1865, within his dwelling-house in Sauchiehall Street,

Glasgow, wickedly and feloniously administered, or caused to be administered, to Jane Cowan or Taylor, now deceased, several or one or more doses of tartarised antimony, or other poison unknown, in some article or articles of drink or food, or in some other manner unknown, in consequence whereof the said Jane Cowan or Taylor died, and was thus murdered by him, having been read over to him, and he being judicially admonished and examined by the Sheriff examinator, *Declares*—I elect to make a voluntary statement in reference to the said last-mentioned charge, and I now declare I was no way accessory to Mrs. Taylor's death. I never administered poison to her. I did and do believe that she died from paralysis and apoplexy. I have no further statement to make, and by the advice of my agent, will make none, with the exception that I am entirely innocent of the charge preferred against me. Being asked by the procurator-fiscal whether he ever administered, or caused to be administered, tartarised antimony to the said Jane Cowan or Taylor, *Declares*—my agent recommended me to say nothing farther, and I decline to answer the question put, and as I act under my agent's advice, it is unnecessary to put any further questions. All which I declare to be truth.

Edward William Pritchard.
A. Alison.
Jno. Gemmell.
Rob. Wilson.
Bernard M'Lauchlin.

The Solicitor-General then intimated that this closed the case for the Crown.

It being now nearly six o'clock,

Mr. Clark suggested that the Court should adjourn till to-morrow, when the evidence for the defence would be led.

The Lord Justice-Clerk said he would like first to have an idea of how long the case was likely to last.

Mr. Clark said that so far as the defence was concerned, he expected that the speeches of counsel might be concluded to-morrow (Thursday), as he did not anticipate that the evidence for the panel would extend beyond one o'clock.

The Lord Justice-Clerk remarked that in that case the Court would adjourn till Thursday morning at ten o'clock, and, addressing the jury, his lordship said—Gentlemen of the jury, you understand that you have not heard any part of the case for the defence; therefore I need hardly tell you that it is in vain in the meantime to form any opinion on the case for the Crown.

The Court adjourned at a quarter to six o'clock.

Fourth Day—Thursday, 6th July, 1865.

The Court met at ten o'clock.

Evidence for the Defence.

Dr. M. W Taylor

1. Dr. Michael Waistell Taylor, examined by Mr. Watson—I am a doctor of medicine, and reside in Penrith. I am a brother of the late Mrs. Pritchard, and son of Mrs. Taylor. I was in Glasgow two days after my mother's death. I had not been there for a year or two before, and had not seen my sister during that period. I had some conversation with her on that occasion. She told me that Dr. Gairdner had visited her some time before. She said that she did not think she would like him to see her again. I urged her to do so, as Dr. Gairdner was a personal friend of my own, and I was sure would pay her every attention; she, however, had some prejudice against him. She said she would rather not see him again, but some other doctor. She gave me to understand that such an intimation had, at her own request, been given to Dr. Gairdner. I strongly urged upon my sister that it was desirable to have the assistance of a nurse, as there seemed to be no competent person about the house to fulfil that duty—no one but a young girl and a servant who had come recently. My sister made objection to it on the ground that it would create some confusion in the house, and that she did not like strangers about her. I was in Glasgow on 27th February for about an hour on the day my mother's remains were conveyed to Edinburgh. I saw my sister on that occasion, but had no particular conversation with her. I saw her again the following day, and was in Glasgow for three or four hours. It was on the second occasion that I had this conversation with her. [Shown No. 32 of Crown productions.]

[Reads from letter, Mrs. Pritchard to Dr. Pritchard, commencing "1 Lauder Road, Edinburgh. My Dear Edward," and subscribed "Ever your Minnie."] "Kenny and I arrived safely yesterday. Grand P. and G. M. along with Fanny and Aili were waiting for us. To-day has been fine, but I have not been out. I feel better, but no appetite. I suppose it will come."

That is the late Mrs. Pritchard's handwriting. [Shown No. 34.]

[Reads from letter, Mrs. Pritchard to Dr. Pritchard, commencing "1 Lauder Road, Edinburgh. My Dear Ted," and ending "Ever Dear Ted, your Minnie." Found in an envelope bearing Edinburgh and Glasgow post-marks of 28th November, 1864.] "I am very vexed to hear that Dear Horace is ill. Had he taken anything to disagree with him when he was out? Your message by telegraph relieved me much. . . . Miss Moffat was mistaken when she said that I had been out to a party. Grandmamma and grandpapa were at Mrs. John Moffat's, but I was sitting quietly at home. They wished me to go but I did not feel well enough. I have been out two or three times, once to get under woollen clothing, which has kept me much warmer and more comfortable. Yesterday I went with grandma to hear Spurgeon preach—an immense number of people. I have made no calls yet except to Miss Bain, as I had promised to go the first time I was out. . . . Grandmamma is better. She sends her love to you, and thinks I have improved very much since I came here. My eyes are much better." **Dr. M. W. Taylor**

This is also her handwriting.

Cross-examined by the Solicitor-General—Mrs. Pritchard was my only sister. She and I were the only two children of our parents.

2. John Simpson, examined by Mr. Watson—I am one of the partners of Duncan, Flockhart, & Co., chemists and druggists, Edinburgh. I personally attend to the business at our premises at North Bridge. We carry on a very extensive dispensing trade. I have been eleven and a half years engaged in that shop. I recollect seeing the prisoner in Glasgow about four years ago. Shortly after that some purchases were made in his name at our shop in Edinburgh of Battley's Sedative Solution. Some person came to the shop with a bottle and paper instructing us to fill the bottle for Dr. Pritchard. [Shown No. 85.] That is very like the bottle which was brought. I had no personal communication with Dr. Pritchard on that occasion. [Shown No. 52 of the Crown list of witnesses, James Thomson, commission agent, Edinburgh.] That is the person who came to our shop with the bottle for the Battley's Solution. About 7s. 6d. was charged for it. It would have been charged higher for any other person than a doctor. The bottle was frequently sent back to be filled. It was first brought about four years ago, and frequently after that down to the beginning of the present year. The bottle made its appearance very regularly; I could not say if it came more frequently at the end of the period. I could not say how often it came—we have such a large business, and there are so many people in the shop. I know Fleming's Tincture of Aconite. We dispense it in our **J. Simpson**

J. Simpson retail trade. In the course of a year we dispense not less than half a gallon, or eighty ounces. I have very frequently made up prescriptions of half an ounce in a mixture. I would not consider it at all unusual if a medical man were to get an ounce at a time from us.

Cross-examined by the Solicitor-General—We get our Battley's Solution direct from the manufactory in London. There is no antimony or aconite in the Battley we sell. It is quite impossible they could get into it accidentally in our premises. We keep it in a separate place. I know the Glasgow Apothecaries' Company. That is a large establishment, and very well known in Glasgow. It has two branches—the one at Sauchiehall Street, and the other in Union Street. They are both large establishments.

To the Lord Justice-Clerk—The half-ounce of aconite which I frequently made up was for a medicine, and it would be a fourth of the entire mixture. Such a mixture is chiefly used in heart disease. Eight drops is the usual dose of such a mixture; that is equal to two drops of Fleming's Tincture of Aconite.

T. Fairgrieve 3. Thomas Fairgrieve, examined by Mr. Watson—I am a chemist and druggist at 46 Clerk Street, Edinburgh. I knew the late Mrs. Taylor. She was in the habit of making purchases at my shop. She purchased Battley's Solution from me for some years before her death. She very frequently came herself, and occasionally sent for it. [Shown No. 85.] Only once that I know of I sold her a bottle of this size, holding five ounces. Afterwards she got it in two-ounce bottles, and sometimes in one-ounce bottles. This is a bottle made for Battley's mixture. So far as my recollection goes, when Mrs. Taylor herself called for the medicine she paid for it. When it was sent for it was generally put down to her account. Her purchases were sometimes at considerable intervals, and at other times frequent. [Shown No. 30 of inventory of productions for the defence.] That account was rendered by me to the late Mrs. Taylor. It contains the following items:—

18th Jan., 1865—	Battley's Solution,		2 oz.
29th ,,	,, —	Do.	2 oz.
4th Feb.,	,, —	Do.	2 oz.

Battley to that amount was furnished to Mrs. Taylor on these occasions. I know Fleming's Tincture of Aconite. My business is entirely a dispensing retail business. In the course of a year I sell about fifty ounces of Fleming's Tincture; that is within the mark. It is generally prescribed in the form of liniment. I have made up prescriptions containing two ounces of Fleming's Tincture of Aconite for a liniment; and I am not

sure but I have made up more. I would not be at all surprised at the purchase by a medical man of one ounce of it at a time. T. Fairgrieve

Cross-examined by the Solicitor-General—Medical men are in the habit of sending prescriptions for the tincture of aconite —not of coming for it themselves. Medical men have bought unmixed aconite in my shop; but it is rather uncommon for them to do so. I am not prepared to say for what purpose they got it, but I should say it was for outward application: I don't think it was for experiments in a laboratory. I have sold it to Dr. Fleming himself—the inventor—in three, and four, and six ounces. I don't sell much antimony or tartar emetic now. It is not so common as it used to be. There has been a change since croton oil has come into use. In the last year or two there has been less antimony sold. I have sold it in large quantities to veterinary surgeons, and persons come to me and get it mixed up with lard as an ointment. There is scarcely a day but antimony is ordered. Frequently, in prescriptions, two or three grains are dissolved in a given quantity of water, and I send it out under the name of antimonial wine. I could not say how much tartar emetic I sell in a year; possibly two or three ounces. That would include what I have sold mixed up in lard for an ointment, but not what I have sold to veterinary surgeons. The quantity of tartar emetic in a prescription to be taken internally is very small. It is measured in grains. There are 480 minims or measured drops in an ounce of Battley. I should think 20 minims would be equal to 30 drops dropped from a bottle, without being measured.

To the Lord Justice-Clerk—There is an imitation of Battley, which I keep. I never sold any of it to Mrs. Taylor. I am able to say that her purchases in January and February last were of the genuine Battley. The imitation of the real Battley is a perfectly safe preparation; it is supposed to be the same, but it is made by a different maker. It is made from the extract of opium. Fleming's Tincture of Aconite is very largely used in an unmixed state for severe tic-doloreux. It is never used unmixed internally. I have found it act as a specific for toothache at times.

Re-examined by Mr. Watson—Fleming's Tincture of Aconite is generally used in neuralgic or rheumatic pains. I don't remember its having been used for affections of the ear; but I see no reason why it should not be.

4. James Thomson, examined by Mr. Watson—I am a clothier's traveller and commission agent, and was for some time in the employment of Mr. Michael Taylor. I left his employment two years past last August. I was clerk and assistant in the business. I sometimes executed small commissions for Mrs. Taylor. I went occasionally to Messrs. Duncan J. Thomson

J. Thomson & Flockhart's for her. I understand it was for opium; but when I went first I did not know what it was for. During the first twelve months or so I got a line and a bottle. The bottle was generally wrapped up in the order. [Shown No. 85.] It was a bottle very like that. I could almost say that it was the same bottle. I have gone to Messrs. Duncan & Flockhart's with the bottle oftener since I left Mrs. Taylor's service than I did before, as I still continued to do small things of that kind for Mrs. Taylor. I once read the line on Messrs. Duncan & Flockhart's counter—that was the only time I ever saw it open. After some time she just gave me the bottle and told me to go and get it filled; I went and presented the bottle, and it was filled at once. I went last for it the night before Mrs. Taylor went to Glasgow, shortly before her death. The bottle was filled on that occasion, and I took it back next morning and gave it to her. For about a year or so before her death I used to get the bottle filled for her once in every two or three weeks.

Cross-examined by the Solicitor-General—When I first entered Mr. Taylor's service I only got the bottle filled once in every two or three months; but it gradually came to be every two or three weeks. When I saw the line on Messrs. Duncan & Flockhart's counter I could see "5 ounces opium" marked on it. There was something else which I could not read, as the line was lying at some distance from me. It was in Mrs. Taylor's handwriting. I sometimes used Dr. Pritchard's name there. When I went with the bottle and without a line, Mrs. Taylor told me, if they asked whom it was for, to say that it was for Dr. Pritchard. She said that she got it half a crown cheaper by saying it was for a doctor. Although I had left Mr. Taylor's service I generally went such messages for Mrs. Taylor. She asked me to come and see them occasionally, and I generally called about twice or thrice a week.

To the Lord Justice-Clerk—The medicine was always corked and sealed, and put up in paper when I got it from Messrs. Duncan & Flockhart. Sometimes I delivered it to Mrs. Taylor herself, sometimes to the servant, but always in the state in which I got it. The bottle I got filled on the night before Mrs. Taylor went to Glasgow I gave next morning to Miss Jane Pritchard, her grand-daughter, who delivered it to her.

J. Foulner 5. James Foulner, examined by Mr. Watson—I am a cork-cutter, and reside in Carrick Street, Glasgow. I consulted Dr. Pritchard about an affection of the ear in November last, and up to the evening of his wife's death. I did not know him before I consulted him. It was by his solicitation, through a Miss Clyde, that I went to see him. On these visits the prisoner generally painted my ears inside and outside, and frequently syringed them, and sometimes he dropped a liquid into them. It was in a room on the street floor of

his house in Sauchiehall Street that he did so. I could not say what he painted my ear with, but it coloured the ear. I think he took it out of a press in the room. The application was not painful at the time. It had a smarting sensation afterwards. Shortly before I stopped going to him he told me to buy some iodine and paint my ear myself. He gave me several small phials; the first two or three contained a white, thickish liquid. He also gave me a bottle larger than the rest; it was labelled "poison." J. Foulner

Cross-examined by the Solicitor-General—I have the larger bottle which I got from him with me here. [Witness produced it.] I never gave it up to any one. It has been in my possession till this moment. The label is, "Two drops in each ear every night—poison." It still contains part of the liquid; it was scarcely half-full when I got it from the prisoner. I showed that bottle to the fiscal yesterday, and he advised me to bring it here. Nobody else, except my wife, has seen it; and nobody has interfered with it. What the prisoner told me to get to paint my ear myself was tincture of iodine; and I got some.

To the Lord Justice-Clerk—That iodine produced the same yellow colour that his painting had done.

Re-examined by Mr. Watson—I was examined by a gentleman on behalf of the agents for the prisoner. I told him I thought I had none of the bottles I had got from Dr. Pritchard.

The Solicitor-General—I do not know whether the Court will think it necessary to order an examination of this bottle.

The Lord Justice-Clerk, after consultation with the other Judges, said—Mr. Clark, have you any desire that the contents of this phial should be examined?

Mr. Clark—No, my lord, I have no desire to do so.

The Lord Justice-Clerk—You don't wish it?

Mr. Clark—No.

The Lord Justice-Clerk (to Witness)—Then you may go.

Mr. Clark—Give him his bottle.

The Solicitor-General—I am told it might be examined in a few minutes.

The Lord Justice-Clerk—If the prisoner's counsel does not think it desirable, we do not order it.

Mr. Clark—The prisoner's case is just about to close; we shall be done in a few minutes.

[Mr. Clark was handing the bottle to the witness, when]—

The Lord Justice-Clerk said—There is no reason why the bottle should be given up. Let it remain in the Clerk's hands.

6. George Francis Kerr, examined by Mr. Watson—I am a clerk in the Clydesdale Bank, Glasgow, and reside in Sauchiehall Street there. I know the prisoner. He attended me for an affection of the ear about the end of February or beginning of March, 1865. He gave me a prescription to get medicine, G. F. Kerr

G. F. Kerr

which was obtained at the Glasgow Apothecaries' Company, Sauchiehall Street. He did not give me a bottle to drop into my ear. It was a tonic. I remember about his giving me a bottle labelled "Glycerine and Strychnine." It was to be used externally to the ear; but I only used it twice, as the ear was so much inflamed, and I did not think it would do the ear any good in that state. The prisoner gave me the bottle in his consulting-room. I think I could find it if required, as it is still in my possession. I got the bottle about the end of February last.

J. Galbraith

7. James Galbraith, examined by Mr. Watson—I am a writer in Glasgow, and am agent for the prisoner. I know Superintendent M'Call. He handed over to me a quantity of bottles and drugs which he found in Dr. Pritchard's consulting-room. I got an order from the Crown Office to get from him all those which were not required for the Crown precognition. They are here in two boxes, a wooden and a tin one [Nos. 15 and 16 of inventory of productions for the defence]. I submitted the whole of these for examination to Dr. Alexander M'Hattie on the 15th June. I got them back from him afterwards, and produced them in the Clerk's hands.

Dr. Alexander M'Hattie

8. Dr. Alexander M'Hattie, examined by Mr. Watson—I am a doctor of philosophy, a lecturer on chemistry, and an analytical chemist in Glasgow. After the apprehension of the prisoner, I went with Superintendent M'Call and Audley Thomson, a detective, to the prisoner's house on the 30th of March. On that occasion I made a thorough examination of the contents of the consulting-room. I examined with my eye generally the appearance of all the medicines which were found in the consulting-room that day. My instructions were to select from what I found in the house or consulting-room anything that I saw was of a poisonous nature. These instructions were given me by Mr. M'Call, the superintendent. There were two presses in the consulting-room. I rejected thirty-five bottles containing samples, and these were left in the consulting-room. All the rest were taken possession of by Mr. M'Call and Audley Thomson. I know Mr. Galbraith, the prisoner's agent. He asked me to examine the contents of a number of the bottles, and I did so in his office. [Shown No. 13 of the Crown inventory.] There was nothing in the contents of the thirty-five bottles from which that prescription could be made up. There was no chlorodyne and no morphia in the bottles that I found. If I had found anything of the kind I would have given it up to Mr. M'Call.

Dr. James M. Cowan

Dr. James Moffat Cowan, recalled, examined by Mr. Watson—[Shown Nos. 32 and 34 of the Crown inventory]—These letters are both in Mrs. Pritchard's handwriting.

Evidence for Defence.

9. Charles Edward Pritchard, aged eleven (not sworn), examined by Mr. Clark—I am Dr. Pritchard's eldest son. I lived with him in Glasgow. I was there when mamma died. My papa and mamma lived happily together. Papa and mamma were very fond of one another. Charles E. Pritchard

10. Jane Frances Pritchard, examined by Mr. Clark—I am the daughter of the prisoner, and am fourteen years of age. I lived a great deal with my grandmother in Lauder Road. Papa was often there with my grandmother. Grandmama and papa were very fond of each other. I have often heard her speaking very kindly of him, and him of her. Jane F. Pritchard

This concluded the evidence for the defence.

After a short adjournment, the Court resumed.

The Solicitor-General's Address to the Jury.

The Solicitor-General then proceeded to address the jury as follows:—May it please your lordships, gentlemen of the jury—We have now arrived at that stage of this most important case at which it becomes my duty, on the part of the Crown, to address to you such observations as appear to me to be of importance and deserving of your consideration. A more grave and serious case, I need hardly say, never occupied the attention of a Court of Justice. The crime with which the prisoner at the bar is charged is in its nature the highest known to the law; and with respect to the persons upon whom that crime is alleged to have been committed, and the manner of its perpetration, the case, as it is my duty now at the end of the evidence to present it to you, is so singularly aggravated that it is difficult even to conceive one more atrocious. I feel it to be my bounden duty to press against the prisoner two acts of wilful murder, committed in his own house, deliberately, in cold blood, and with much cruelty, upon two defenceless women—the one his own wife, the other his wife's mother. I say further—and, if I make it good, it is, indeed, an appalling feature of this terrible case—that the mother was sacrificed by him when in the very act of watching with a mother's tenderness over her daughter, upon whom he was practising his nefarious and subtle arts, to urge her slowly but surely to her grave. Solicitor-General

Gentlemen, the prisoner is well entitled to say that such a charge ought not to be brought upon slight grounds, and to say further that if the evidence upon which it rests be such as to leave you any reasonable alternative, it is your duty—and you will gladly avail yourselves of it—to acquit rather than convict any one bearing the form of a man of so shocking

Solicitor-General

a crime. The observation is a sound one—I accept it, and commend it to you as in my opinion sound and just; and, indeed, I make these observations to you not to excite prejudice, but for the fairer purpose of assuring you that I appreciate the gravity of the charge which I make, and now press, and duly estimate the burden which is upon me of establishing it by satisfactory evidence.

Gentlemen, I am doubly charged, in my official capacity, with the interests of public justice and of society at large. The interests of society are indeed great; and it is unnecessary to express them. There is no protection against murder by secret poisoning except the reasonable certainty of after detection and punishment. Against open violence we may defend ourselves; we may avoid an enemy; we may protect ourselves against him. But against the secret poisoner there is absolutely no protection, except in the fear of detection and punishment. It is therefore for the best interests of society that the prisoner, if he be guilty, and be proved to be so by convincing evidence, should not escape. But it is not for the interests of society that any man should be convicted upon insufficient evidence, and it is not according to my duty to press the case, or any part of it, or any view of it, against the prisoner beyond what justice and truth, according to the evidence, and legitimate and convincing argument, exactly warrant. The interest and the right of the prisoner to be acquitted if he is not satisfactorily proved to be guilty are as important and sacred in the estimation of the law, and will be in yours, as the interest of society is that, if proved to be guilty, he shall not escape. I rejoice, therefore, to think that his interests have been committed to hands so able and experienced as those of my learned friends who now appear for him.

Gentlemen, I have told you that the prisoner is charged with two acts of wilful murder—the one committed upon his wife, the other upon her mother. And what you have to say—it is a solemn and important duty—men cannot in this country be engaged in any duty more solemn and more important—is whether both or either of these charges is proved to your satisfaction. Upon me the burden of proof lies. The prisoner is entitled to every presumption in his favour to begin with. It is for me to prove it, or if I do not he is entitled to be acquitted. Let me then, with all the impartiality and candour which I can command, proceed to consider with you the evidence upon which each of these charges rests.

The first matter for consideration in this and every similar case consists of what lawyers are accustomed to call the *corpus delicti*—that is, the question whether or not the crimes charged were both or either of them committed by anybody. Were these ladies murdered by poison, or were either of them murdered

The Solicitor-General (Young).

by poison by any one?—It is for me to establish by convincing evidence the affirmative of the proposition that each of them was so murdered. If I fail, of course there is no further question of any moment in the case; the murders charged, in that view were not committed, or are not proved to have been committed. But if I satisfy you, by the evidence upon which I rely, and to which I shall immediately advert, that not one only, but both of these women were murdered by poison, the only question which remains—although it is the vitally important question in this case—is, was that murder perpetrated, or were these murders perpetrated, by the prisoner at the bar? Solicitor-General

Let me begin, as naturally I ought to do, with the first question—Were the murders charged, or was either of them, committed by any one? That, of course, is the question stated in another form. The question then comes to be, did these ladies die by poison not taken wilfully with a view to suicide, or accidentally either through negligence on their own part or somebody else's, for, if they did, the conclusion is inevitable that they were foully murdered. Did, then, both or either of the ladies die from the effects of poison? And let me here take the cases separately, in so far as it is possible to make a separation between them.

I begin with the case of Mrs. Pritchard, because, although she died last—about three weeks after her mother—she was, if there be any truth in the case for the prosecution, the first victim of the foul acts with which the prisoner is charged. The poisoning of her commenced before her mother came to nurse her on the 10th February, although the poisoning did not terminate fatally until the 18th March, the mother herself having died upon the 25th February. But, naturally, I think, in whatever view you regard the case, the death of Mrs. Pritchard is the one which first presents itself for consideration; the murder of the mother being, as it were, an episode occurring in the course of the murder of the daughter.

Mrs. Pritchard died upon Saturday, the 18th March, at a very early hour of the morning. The first question as to which you must make up your minds is, what was the cause of her death—of what did she die? The prisoner said to those who asked him during her life, and to the registrar after her death, that he was her medical attendant, and that she died of gastric fever. The public prosecutor now says she died of poison. It is for you to determine which of these two assertions is the true one. It is painful to be obliged to say that the question admits of only one answer; for, could I see any reasonable view upon which a different answer from one confirming the assertion of the prosecutor could be given, I would not fail to advert to it, and to state to you what I think. But I can see no materials for so doing. You will judge whether you

Solicitor-General can, in the whole of the evidence which has been laid before you, see materials to justify even doubt or hesitation in asserting that Mrs. Pritchard died on the 18th March from the effects of poison.

The evidence upon this subject is singularly clear and conclusive—I say singularly so, because cases of this description are of rare occurrence; in my experience this is the first in which a doubt was not raised, and raised upon medical testimony, on the question whether death was to be ascribed to poison. Here there is none. The testimony is all one way, and you see distinctly how no doubt could have been thrown upon it. The poor woman's body was opened after her death. It presented, on the examination of the doctors, nothing to account for death—no appearance of natural disease. The conclusion of the report of that examination by Dr. Maclagan and Dr. Littlejohn is this—"We have to report that this body presented no appearances of recent morbid action beyond a certain amount of irritation of the alimentary canal, and nothing at all capable of accounting for death. We have therefore secured the alimentary canal and its contents, the heart and some of the blood, the liver, the spleen, the left kidney, and the urine, in order that these may be submitted to chemical analysis." Nothing indicating gastric fever comes under their notice. Therefore these gentlemen thought the cause of death was to be ascertained by a chemical analysis of the portions of the body and the contents of the intestines specified in their report.

That chemical analysis accordingly took place, with the result which you know. Poison was found diffused through the whole organs and parts of the body and throughout its fluids. It was found in the stomach, in the liver, in the spleen, in the kidney, in the heart, in the brain, in the blood, and in the rectum. The whole body was impregnated with it. Notwithstanding the copious discharges which that poison induced so long as the patient had strength to make them, the large quantities mentioned by the doctors in their evidence before you were found in these various parts of her body, showing that the poison was diffused throughout the entire system, and satisfying them that the case was one of chronic poisoning—that is, that the poison had been administered in small doses, each of them insufficient to kill, and so administered during a long course of time. That was the conclusion at which they arrived before knowing anything of the history of the case. Dr. Maclagan stated in his report that the period over which the administration had extended cannot be determined by mere chemical investigation, but must be deduced from the history of the case. And Professor Penny came to the same result. I shall not trouble you with reading that part of the report in

which he refers to it, but he, on examining portions of the same parts of the body and the contents of the intestines which had been examined by Dr. Maclagan, arrives at the same conclusion. Solicitor-General

You understand this, gentlemen—Dr. Maclagan did not experiment or operate upon the whole of the various portions of the body and substances which he had extracted. He operated only upon a portion of them, leaving another portion, in order that the additional security might be obtained of submitting that to another chemist, so as to see whether the result at which he arrived was the same or different. You know from his report the result of his investigation. He found the article antimony diffused through the whole body, as I have stated—so diffused as to satisfy him—he being a person well able to judge upon such a matter—that the administration had been chronic, extending over a considerable period of time. The other portion is submitted to the examination of Professor Penny. He conducts his own experiments in the same way, because the mode of proceeding in order to ascertain the presence of this poison is well understood. He finds the same poison in the same parts of the body, diffused in the same way through the system, and he arrives at the same conclusion.

If there had been any possible doubt, we should have had some other testimony on the subject; but these reports by two gentlemen of the greatest eminence are reports in which we must place full reliance, unless we are to abandon altogether the attempt to detect the crime of poisoning. The matter was made so clear as not to admit of any dispute. But Professor Maclagan says—"The period over which the administration extended must be ascertained by a reference to the history of the case"; the medical examination and the chemical analysis could only lead to the conclusion that it had extended over a considerable period.

Then you had the history of the case; I am not to go into that now. But you remember that this poor lady was taken ill, the symptoms being sickness and vomiting, these being the most marked symptoms—at all events, no others were stated—before she went on a visit to her parents in the end of November. She went there when she had got a little better, and with a view to her permanent recovery. She did recover. She was not visited with the sickness in Edinburgh—you have her own testimony to that effect. She went an invalid; she returned, not in perfect health, but still comparatively well. She had been free from the only symptoms which her illness indicated while she was at home, and which she could not account for in any way; and it was painful to hear detailed in her own words the remark which the poor creature made in the absence of her husband, that it was strange that she was always well from home and ill at home. She could not

Solicitor-General account for this sickness; nobody in the house could, except the author of it.

She returns from her father's house two or three days before Christmas. Her mother is with her and her eldest child, and she is comparatively well; but only for a few days. The sickness and vomiting return within a few days after her return to her husband's house as unaccountably as ever. They continue with more or less frequency. Generally every day, although sometimes she escapes a day, she is sick and vomiting, and cramped. She at last went to bed—and kept it more or less for a week; the sickness, vomiting, and purging, leading to that general debility which it is the nature of this particular poison to cause, was upon her. The illness goes on. Her poor mother says that she became one day a little better and two days worse—sick sometimes before breakfast, sometimes after breakfast—sometimes after dinner, after tea; sick during the night, ill with cramp; nothing in the world to account for it. These are the symptoms down to the period of her death—one day better, two days worse, until she sinks, completely exhausted, and dies upon the 18th March.

What were these symptoms of—occurring, as they did, under the eye of her husband, a medical man, the only medical attendant, living in the house with her day and night? Of gastric fever? No. They were the symptoms which would be produced by that poison which was found in her body after death, and so diffused through it as to lead inevitably to the conviction that it had been administered in small doses over a considerable period of time. The history of that part of the case, therefore, confirms what the medical gentlemen and the chemists were led by the chemical analysis to anticipate; that the poisoning of that poor woman was being regularly carried on. I take no account of the period before she went to her father's house, but it commenced very shortly after the time of her return, and it continued almost day after day down to the time of her death.

Gentlemen, take the symptoms during life—the symptoms indicating the action of antimony—exactly the symptoms which antimony would produce—and finding antimony in the body, diffused through the system, on the examination after death, I say the conclusion is so irresistible that you cannot wonder it is not disputed that this poor woman, however she came by it, had antimony administered to her, and died in consequence. If you cannot resist that conclusion, then, in respect to Mrs. Pritchard, that part of the case is established—she died, not of gastric fever, but of poison.

Now, attend for a moment to the case of Mrs. Taylor—this murder occurring as an episode in the course of the perpetration of another. Mrs. Taylor came to Glasgow on the 10th February,

I believe; according to the evidence, about that date. But I think we have the correct date in the only two references which I mean to make to the journals of the prisoner. In them it is stated that Dr. Gairdner visited Mrs. Pritchard on the 8th February. That was the same day that Dr. Cowan left, for on page 13 of this diary we have, under the head of 7th February, "Dr. J. M. C. here"; while on the next day, 8th February, "Dr. J. M. C. left." The statement was that he came the one day and left the next; and under the same date there is the entry, "Dr. Gairdner"—that is to say, Dr. Gairdner was there on the night of 8th February. In the same journal, on page 14, we have, first, on the 9th February, "Dr. Gairdner" —that is, that he visited again that day; and Friday, 10th, "Grandmamma"—that is, the old lady. And then, looking further into the dates in the journal, we are reminded that Catherine left on the 16th February at 10 p.m., and that Mary Patterson, cook, joined his service. **Solicitor-General**

Mrs. Taylor, then, came upon the 10th February. She does not appear to have been sick after she came until she partook of some tapioca, which occurred on the 13th February, three days after she came. But she was sick then, and vomited. So far as we know from the evidence, she was not sick after that till Friday, the 24th—which was the last day of her life.

She was an old lady of seventy-one, and you find the appearance which she presented to the experienced eye of Dr. Paterson was that of a hale, healthy-looking person, fine form, good complexion, nothing in her appearance to indicate anything the matter with her. On Friday, the 24th, she is going about the house all day quite well as usual. It is true, one of the servants, Mary Patterson, said that she was a little peevish and fatigued-looking that afternoon, as she (the servant) thought, from watching with her daughter, for she was with her day and night—in the same room with her—after she came. But between six and seven o'clock, according to the evidence, I think, of Mary M'Leod or Mary Patterson, the old lady showed a tendency to be sick. She wanted to vomit, and thought that she was about to be in the same condition as that in which she had seen her daughter. The sickness seems to have passed off, for she had tea at seven, as usual, as we heard from the boarder, Connell. At this time she was apparently quite well, and there was nothing in her appearance to attract any attention. But about nine o'clock she goes up from the consulting-room, in which she had been writing, to her own and her daughter's bedroom. I am speaking from recollection in saying that it was about nine o'clock that she went upstairs; but if I am wrong, his lordship will put me right. The precise time, however, is of comparatively little moment. The important point is that she walks upstairs, nothing, so far as any one can see, the

Solicitor-General matter with her. In about half an hour the bell of her room was rung, and the servant upon going upstairs finds her sick, but not actually vomiting. She wanted to vomit, and went to the basin and tried to vomit, but did not. She asked for hot water to make her vomit. This was about half-past nine. The servant goes down to get the water, and, that proving ineffectual, she afterwards got some more. The old lady becomes very ill, and goes into a state of almost insensibility, sitting upon the chair, her head hanging down. The servant girl is sent for the doctor—that is, Dr. Pritchard—who, so far as she knew, up to that time had not seen the old lady at all. He was in the consulting-room engaged with a patient. The patient went out shortly after; the servant told him that Mrs. Taylor was ill, and he went up to the bedroom. Then it was she was found with her head hanging down upon her breast, and he sent for Dr. Paterson.

You have the description which Dr. Paterson gave you of her appearance—a very distinct description. He had no doubt that she was labouring under the effects of a narcotic poison—opium, or some preparation of opium. Dr. Paterson did not doubt that that was the case. We shall see the account given to Dr. Paterson by the prisoner of her illness afterwards; but, in the meantime, I merely want to direct your attention to his description of the symptoms which he himself saw. He said she had all the symptoms of poisoning from a strong narcotic. Opium would produce such symptoms, but the effects of the opium would be increased and quickened by the addition of a still stronger narcotic and more stupefying poison—aconite. The state of depression and general weakness under which she appeared to be labouring were such effects as antimony would produce. After the *post-mortem* examination antimony was found in her body. Antimony is found there, whether she took it herself, or it was accidentally administered to her.

There is no doubt that she did not die of apoplexy any more than Mrs. Pritchard died of gastric fever. She died of poison, and the symptoms were those of narcotic poison—the effect of narcotics administered along with antimony, in order to obscure, by overpowering, the symptoms of the antimony. But none of these narcotics were found upon the chemical analysis after death. It was explained to you that analysts usually fail in finding such poisons. These narcotics are vegetable poisons, and are not detected in the same way as metallic poisons, such as antimony, which are readily detected. In the case of poisoning by narcotics we are indebted for the means of ascertaining the presence of poison to the marked symptoms exhibited during life, rather than to the chemical examination afterwards. If metallic poisons are administered, these will be found on examination after death—the vegetable poisons

most likely will not. The symptoms shown by the deceased lady were not the symptoms of any known disease—they were not the symptoms at all suggesting apoplexy to any intelligent mind; but during her life we have the symptoms of narcotic poisons, and we have the metallic poison found in her body after death. Did she die, as her daughter died afterwards, of poison, although not entirely the same poison? or did she—as the prisoner, her medical attendant, had stated during her daughter's life, and to the registrar—die of apoplexy? I am afraid, gentlemen, there is no room for any other answer to this question than that which I now make. She died of poison—opium, aconite, and antimony. The antimony they found in her. I am not speaking of the felonious administration of it at this moment. It is merely of the fact that she was poisoned, and that she died of poison. **Solicitor-General**

As a general proposition, it does not necessarily follow—though I think it does in this case—that, because a death is occasioned by poison, that poison was murderously administered. The victim may have committed suicide, or got the poison accidentally. It would be almost an insult to your understanding to suggest suicide in the case of either of these ladies, except to throw aside the suggestion at once. Neither of them had indicated any desire to get rid of life. With respect to Mrs. Pritchard, suicide is not committed by chronic poisoning—by taking small doses so as to keep up illness for months. Murder is committed that way sometimes, as from criminal annals we know. The suicide does not choose a long, lingering, and painful death. The murderer, however, sometimes adopts that course for safety to himself, so as to make death appear the result of natural disease. Suicide in the case of the wife is, therefore, extravagantly out of the question; and in the case of the mother equally so. However they came by that poison, neither the one nor the other took it wilfully.

Then, gentlemen, what is the next suggestion? I do not mean to say that the suggestion has been made by anybody; but it is my duty to exhaust the case so as to bring you as rapidly as I can to the real question upon which it turns. The suggestion of accident, then, is the next question which we have to consider, but only for a moment. Let us take the case of the wife. A person may get poison by accident once. One bottle of medicine may be mistaken for another, or poison may be mixed with it by accident. But antimony administered by accident over a course of months—from the season of Christmas down to the 18th March—is entirely out of the question. In the case of the mother it is difficult to conceive that aconite and antimony got into the poor old lady's Battley's mixture accidentally. It was not there by accident. I therefore put aside accident as entirely out of the case, as much so as suicide.

Solicitor-General There is no such suggestion as this in it. It is excluded by the prisoner's own declaration that any antimony was administered medicinally by him either to his wife or to her mother; he denies that it was so. He rubbed some on her neck in the month of October, and she had got some internally several years before for her eyes; but that has nothing to do with this case at all. She had no illness for which any one for a moment would think of administering antimony. The only illness which she had was one which suggested the action of antimony—vomiting, sickness, cramp, burning sensations, and so forth. Antimony was therefore not administered medicinally. If the idea of suicide is out of the question—if the idea of accident is one not to be seriously entertained—see, then, to what conclusion you are shut up, by a process short, but clear and convincing, namely, that the poison which killed this woman was administered wilfully by the hand of some person in the prisoner's house; for out of it she does not appear to have been from the time when she was first taken ill at the beginning of January, until she was carried thence to her grave.

This is a sad conclusion to be forced to, but can you resist it? Who, then, was the murderer? For there was murder committed in that house—deliberate, cold-blooded, cruel murder. Who did it? We know the inmates. There were the two students of medicine. I suppose we may lay them aside as having nothing to do with it. Suspicion does not attach to them, neither had they the opportunity. The servants changed in the course of the enacting of this dreadful tragedy—all but one. Catherine Lattimer was there until the 16th of February. The poisoning went on after she left. The deaths both occurred after she left. She was not the poisoner, nor was there a breath of suspicion about her. Mary Patterson comes upon the 16th of February. The poisoning, indeed, continues after she comes; but it had commenced long before—six weeks before. We therefore leave her aside. There was Mary M'Leod—a girl under seventeen, the sole remaining person in the house during the whole course of the administration to which I refer, for I need not take any notice of the children, who were the only other inmates. See, then, to what we have come. There was a murderer in that house practising the dreadful art of slow poisoning from the end of December till past the middle of March. The only two grown persons, except the boarders, who were in the house during that time—the only two who had access to the patients—were the prisoner at the bar and Mary M'Leod. This is narrowing the case to a very short question. I have excluded every other idea from the case by fair, legitimate, convincing argument, upon evidence which is not open to dispute. I have excluded the notion of natural death. I have established the fact of death by poison. I have

excluded the idea of suicide, the idea of accident, the idea of administration medicinally. You are shut up, therefore, to murderous administration. I lay aside the children; I lay aside the two boarders; I lay aside the two servants, one of whom was in the house only during the first half of the period, and the other only during the last half, and I find that the only two who had access to these miserable victims, and had any opportunity to perpetrate the murders with which the prisoner at the bar is charged, were the prisoner himself and this young girl. Solicitor-General

Now, pray, consider with respect to the wife upon the question whether or no the prisoner is not the man clearly proved by irresistible evidence to be so, what was the nature of the murder? It was a murder in which you almost detect a doctor's finger. It was effected by gradual poisoning—poisoning carried on so as not to kill but to weaken; leaving off for a day and then resuming again; the victim one day better, two days worse. During the whole time the patient exhibited the symptoms of vomiting, purging, and cramp, the result of the action of antimony. You have that going on throughout that long period; ay, and under the very eye of a medical man—the husband of the victim, who was in close attendance upon her. Do you think anybody else—do you think a girl of seventeen could have done that deed? Did she know anything about antimony? If she did not, the prisoner at the bar must have done it. And what is his case?—his case respecting his own wife, who was thus demonstrably poisoned by inches under his very eye during this long period—what is his case? "I thought it was gastric fever," he says. Gastric fever! Nobody could have thought it was gastric fever. There was nothing like gastric fever in it. Nothing like anything except what it was—slow, cruel poisoning, which brought, in the course of two or three months, this poor woman to the grave with such an amount of the poison in her body. And, gentlemen, how does he speak even of the prescription of Dr. Paterson? He writes to her father that among other things Dr. Paterson ordered was Dublin stout. Dublin stout! The last thing any one would think of ordering for a person in that condition. Now, Dr. Paterson says he did not order it; he swears he did not order it, and you are bound to believe him.

Something was said in the course of the cross-examination of Dr. Paterson which I must advert to, though not in the language of complaint. He was very much struck, when called in to visit Mrs. Taylor, with the appearance of Mrs. Pritchard. He was not called upon to visit that lady professionally. He was called to visit her mother, whom he thought dying, although the prisoner would not admit it. He was so struck with her appearance that the idea pressed upon him with the force of a

Solicitor-General conviction, of which he could not get rid, that she was under the depressing influence of antimony. My friend Mr. Clark very properly put it to him, "Did you not think of stating your suspicion either then or when you went back on the 2nd March?" Well, one was not in the least surprised certainly, that, being called in on the night of the 24th February to visit the old lady, he should not have volunteered the statement to his professional brother, living a few doors from himself, "Your wife there is under antimony; I have a grave suspicion of you that you are practising upon that woman by antimony." He would have been a very bold man—bold to rashness—who would have ventured upon that. He might have scared the murderer from his victim for the moment; but he never could have gone to the house again—he would not have rescued her; and what position would he have been in himself? A consulting physician, called in to see the mother, volunteering to state the suspicion—although it was a strong one, and with the force of a conviction upon his mind from what he saw—that the daughter was being poisoned, there being nobody there who could poison her, except one. You see where his suspicions pointed, confirmed, I daresay, to such an extent by what he has heard since, that the language which he now uses with regard to the impression he had formed upon the 24th February, that she was under antimony, is more emphatic than it would otherwise have been. She was under antimony beyond all question; but it would have been a rash thing, I think, for him to have made any accusation against any one, or made any statement to anybody on the subject in the circumstances upon the 24th February.

Perhaps he had a fairer opportunity upon the 2nd March. On the 1st March he met Dr. Pritchard, and was asked by him to call on the next day. He was not the medical attendant in Dr. Pritchard's house at all. He had never been over his threshold before the 24th February, and he was not asked back again; but on the 1st March Dr. Pritchard met him accidentally —that is to say, there was no designed meeting. They were both in the same street, and, speaking as persons who had met once before, he explained that naturally there was a conversation about the death of the mother—an allusion to it, and about the wife being a little better; and he says that Dr. Pritchard then said to him, "I am going to Edinburgh to-morrow, and I should be glad if you will call and see Mrs. Pritchard about eleven o'clock." Dr. Paterson said his impression was—and there was no reason to doubt it—that it was an entirely accidental meeting, and that it had occurred to Dr. Pritchard upon the spot, while they were in conversation, to ask him to call next day; and Dr. Paterson regarded it more as a mark of sympathy with the daughter upon the death of the mother, which he

had almost witnessed, being the last person who had seen her alive, except Dr. Pritchard, upon the night of his professional visit. Accordingly, Dr. Paterson called the next day to see Mrs. Pritchard. He found that she was better, and he prescribed for her. His suspicions were not removed—that is to say, he did not see from her appearance that day that he was entirely wrong in anything which he had suspected before. But do you think that he could have even then denounced the husband? I do not know whether he might not, by securing something in the room—something that had passed from her, and, having that chemically analysed, have ascertained whether antimony was there, or any poison. I do not know whether it was possible. Probably it depended on any recent administration of the antimony. But, without any proof—with nothing except his own suspicion—it would certainly have been a strong measure for him to have given utterance to any warning on the subject. Without expressing any opinion as to what was Dr. Paterson's duty in the circumstances, I shall only say that probably most men would have found it exceedingly embarrassing, and I shall not take upon me to express or to imply a censure upon the course which he took, of being discreetly silent by expressing no opinion whatever. It has no effect upon my mind; you can judge whether it ought to have any effect upon yours. It may be that you will be appealed to in this way, that if any of you were placed in similar circumstances, what would you have done? Would you have allowed a feeling of professional etiquette and dignity to interfere with your taking steps to save the life of a fellow-creature? Now, I would say again, that if he had said to the husband, "I suspect you of administering improper drugs to your wife," and if he had put the wife upon her guard against the husband, he might have scared the murderer from his prey for a time; but he would have done so at an immense risk, possibly at an immense sacrifice to himself. Nobody can tell what the world would have thought of him. There was not then the opportunity which we have had since of ascertaining the facts conclusively by an examination of the body of the victim.

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But, gentlemen, I shall be asked what motive had Dr. Pritchard for committing this crime? The question of motives is a very delicate one, and the importance of it is apt to be too much exaggerated—indeed, I think, is commonly exaggerated—and the very nature of it as evidence to a great extent misunderstood. There are many men whose worldly interests would be vastly promoted by the death of others. There are hundreds of persons who are in that position; but God forbid that it should weigh a feather's weight in the scale against any one of them if charged with murder, that it could be said, "You succeeded to money or to estates by this death!" I say

Solicitor-General I believe there are hundreds, there are thousands—ay, possibly, there may be millions—in this world who are in that position; people who would be benefited in their worldly means by the death of another, but who would shrink with absolute horror from the idea of hastening that person's death by a moment. Motives, therefore, of that description are of no weight whatever unless you have convincing evidence that the act was committed by the man; and if you have that, the supposed motive is an altogether secondary—almost unimportant—consideration. No doubt, in cases of murder proceeding from revenge and passions stirred, you have a motive generally strongly indicated as one which is operative. The man who is in a passion—who is moved by the feeling of revenge, and who manifests it and sometimes expresses it—supplies proof of a motive in actual operation; but in cases of murder, such as this, pray consider how the matter of motive stands as a question of evidence. There was here a cold-blooded, protracted murder committed—that is a fact with which you have to deal. The person who committed that must have been dead to all the ordinary feelings of humanity. It is difficult to enter into the state of mind of such a one, to consider what the feelings may be of any person, man or woman, capable of committing such a murder as was, in point of fact, committed here—for I am assuming that I have convinced and brought you to the conclusion, upon grounds which are satisfactory to your minds, that murder was committed by somebody. You are dealing with the case, therefore, that the poisoner here was some one who was dead to all the ordinary sentiments which actuate a man—no compassion, no kindness, no sympathy; bent upon the destruction of a victim, bent upon it for months; able to conceal a design, to proceed in a cool, calculating way, producing and keeping up sickness, attending upon the sickbed of his patient, down to the last fatal moment. The person capable of doing that is, I say, not demonstrative, but able to repress his feelings, able to conceal them, and to act without expression.

Now, I impute to Dr. Pritchard the murder of his wife in circumstances which, I think, exclude every reasonable ground for supposing that it could have been committed by anybody else. I do not know his feelings towards his wife. I know, indeed, that he was not a virtuous, affectionate, loving husband, for we are aware of the footing upon which he was living in the house with the poor girl whom he had seduced almost at the age of fifteen. I do not know his feelings towards his wife, for the person who could commit that crime is, I repeat, not demonstrative. He is apt to be an excellent actor, able to repress—I shall not say repress his emotions—for I do not think any strong feeling could exist in the case, except the cool, calculating, deliberate determination to carry out a pur-

pose. I say so much for motive. I know nothing about him or about the terms on which he lived with his wife. I know the terms upon which he lived with his servant girl. You know it from the evidence. Whoever committed the murder attended affectionately at the bedside, must have been in attendance upon the patient, and must have been in attendance with such apparent kindness that the patient believed him and took food from his hands. Solicitor-General

But, gentlemen, I have more than anything I have stated yet against the prisoner. He had every opportunity. No poisoner could have a better opportunity that he had of poisoning in the very way in which the poisoning was committed here. He had an opportunity of putting poison in almost everything. He had the material, and in abundance. He bought antimony in unusual quantity, unprecedented, so far as the experience of the manager of the Glasgow Apothecaries' Company goes—a quantity very nearly unexampled in the case of antimony even in the experience of the apothecary who was put in the witness-box for the prisoner to-day. He bought some ounces—one ounce at one place, and one at another. During the period between the 16th November and the 18th February he purchased two ounces—a most unusual quantity. Two ounces would equal the whole amount used in practice by the customers of this apothecary for a year. About the same quantity would serve the whole dispensing practice of the apothecary who was examined here to-day. His experience, and that of Messrs. Duncan & Flockhart, of aconite is different from that of the Glasgow Apothecaries' Company, but the prisoner had abundance of antimony, and he had opportunities in plenty of putting it into almost anything his victim was taking from day to day; and he knew the doses which would produce the gradual effects he desired. His servant girl knew nothing about antimony. She knew nothing of these doses. She was incapable of committing such a crime as this under the eyes of an innocent husband—a medical man attending upon his wife; but you will judge of that.

But can we trace from his hands to the victim some particular articles of poison? We have a piece of cheese which he cut and sent by Mary M'Leod to his wife. Mrs. Pritchard would not take it, and Mary M'Leod swallowed a bit of it. It produced a burning sensation in her throat, and what she called a bitter taste in her mouth; she had never tasted anything like it before. This was the first thing she had been asked by her mistress to taste. The servant girl took it down to the pantry, and next morning the other servant, Mary Patterson, picked up a bit of the cheese there, put the bit into her mouth, and it produced in her such sensations as she never experienced before. She was sick for hours after—from seven in the

Solicitor-General morning, a few minutes after taking it, until ten; then she had to go to bed. Can you doubt there was poison in that cheese? It was during the period that the wife was in the course of being poisoned, and within a few days of the fatal termination. This was a piece of food which was sent to her by her husband, and produced upon the servant girls the effects of antimony. You must take that in connection with what I have mentioned, that it was in course of his wife being poisoned, as we know, by somebody—by a murderer's hand—that the husband sends to her food which, being tasted by two of the servants, produced upon them all the effects of antimony. But not only the bit of cheese. You will also remember that at about this time there was some camomile tea made by him, and his wife immediately after taking it became ill. I do not dwell upon that, because the prisoner frequently prepared her tea, and spread the butter upon her bread, and was also very commonly present in the room when she was taking her dinner. But I cannot pass over the incident of the egg-flip; for that, again, is a substance which I trace from the hands of the man whom we charge with murder to the lips of his victim. The egg-flip was prepared by Mary Patterson. The prisoner gave her the egg; he told her to beat it up well in a porter-glass, very smooth, otherwise Mrs. Pritchard would not take it; and he said he would add the sugar. The sugar was kept in the dining-room, not the consulting-room—that is not a medicine which is likely to be kept there. He goes to the dining-room for the sugar for this girl, who was in the pantry beating up the egg-flip. He does not go into the pantry with it, but into the consulting-room where the antimony and aconite were kept, he drops poison on the sugar, and then he goes from the consulting-room into the pantry, and puts the sugar into the mixture of beat-up egg. Hot water is then poured upon it. The cook tasted it, and what is the effect of that spoonful? Painful and violent illness, such as would be produced by antimonial poison; not a doubt about it. Now, this again occurs in the course of the period when his wife was being poisoned by inches in his house. Mary Patterson was so ill after taking it that she thought that she would die during the night. There was no one to see him put in the poison, but I say again, can you doubt that he did so? Why, it is almost as clear as if you had seen the prisoner take the sugar from the dining-room into the consulting-room, sprinkle the antimony upon it, which is the same colour as the sugar, and go from thence to the pantry and drop it into the egg-flip. The cook, upon tasting it, was ill, as she described, precisely as she would have been under the action of antimony.

Gentlemen, these are very strong circumstances, and I submit

them to you as conclusive. You cannot fix the murder upon anybody else. You have no ground for suspecting anybody else. You must fix it upon the man who alone had the means and opportunity; but you will judge of that. You will judge whether it is probable a girl of seventeen, under the eyes of a medical man attending, as the prisoner was, upon his wife, was poisoning her with these subtle drugs, and he thought all the while it was gastric fever. Solicitor-General

Now, let me come to the case of Mrs. Taylor, and that case throws some light upon the other. It is impossible it should not, for it is really part of the same tragedy. I say again that I cannot enter into the mind of the man who is capable of committing such a murder as was certainly committed here by some one, or even conjecture what motives may be sufficient to set him upon the practice of the terrible art—for it is a terrible art, that of slow poisoning. But it appears that he was in very poor circumstances. Indeed, he doesn't seem to have been possessed of a farthing. He was to some extent, not a great extent, I believe, in debt. His bank account was overdrawn, and had been so for some time. His house, which he had bought recently, was not paid for except to the extent of £400, which he had taken out of the £500 given him by the old lady. It was a £2000 house, and of this £1600 was borrowed upon it. He had two policies of insurance, on both of which money was borrowed. That was his condition pecuniarily — living in a house of the value of £2000, but not paid for, with a practice, the extent of which I have no means of judging; but with his accounts overdrawn, even after applying £100 of the £500 which he got from the old lady, to some purpose other than the purchase of the house. The old lady he knew was possessed of money. He got £500 from her. She was very fond of him—particularly proud of him. He knew she had more money, and that she was possessed of £2500 more. According to her will—if he knew of it—his wife was to have, and in the event of her death he was to have, the liferent of two-thirds of that sum. That was her will, and these were the terms upon which this moneyless man would succeed to two-thirds of the liferent upon her death. I will be told that it is inhuman to suppose that a man would kill the mother of his wife, who had been kind to him, for such a paltry motive as this? Kill her by poison! Gentlemen, she was killed by poison for some motive or other. There can be none conceivable which will satisfactorily account to a well-constituted mind for the perpetration of an act so foul; but the foul act was perpetrated, and was perpetrated by some one for a miserable motive — a dreadfully miserable motive — by somebody void of heart, and void of ordinary feeling.

Solicitor-General That is the necessary condition of whoever perpetrated that murder. If there was no murder, it is an end of the question; but if there were a murder, the condition of the perpetrator was that of a man lost to all human feeling—a heartless wretch, into whose motives it is impossible to enter. He will be moved by what will not appear to any one to be sufficient to account for his conduct.

Well, then, he had part in the death of the old lady. Let us consider his conduct with respect to her. He is watching the time for his destined victim, if there be truth in the case which I have presented to you with respect to the wife. Let us see how he behaves with respect to his mother-in-law. The mother was sent for, Dr. Cowan being the messenger upon his recommendation that she should be brought, and he had procured the consent of the prisoner. I do not insinuate that Dr. Pritchard was averse to it, but Dr. Cowan did suggest it, and he was the messenger to the mother to ask her to come and watch over her sick and dying daughter. Well, she is doing so at that time, and I think it is proved almost to demonstration, as clearly as such a matter can be established—that she died from the effects of such poisons as had been mixed with the drug which she was accustomed to use, in the bottle of Battley's Solution which was found in her pocket. I suppose you will have no misgivings in your own minds about the identity of that bottle, which was produced, for it was the only one in the house with Battley in it, it was taken possession of after the prisoner's apprehension, it was subjected to analysis, and in it was found antimony by chemical analysis, in it was found aconite—the presence of the latter being otherwise ascertained. Aconite is known to produce a peculiar tingling and benumbing sensation when applied to the lips and the tongue—so the chemists and medical men of experience recognise it at once by these effects. When the contents of the bottle which had been taken from the old lady's pocket were so applied to the lips, they produced the tingling, benumbing sensation to a greater degree than the addition of five per cent. of Fleming's Tincture of Aconite to Battley's Solution, although to a less extent than the addition of ten per cent. Aconite, therefore, had been added to that tincture to the extent of from five to ten per cent., Dr. Penny thinks about seven per cent. The presence of aconite in that mixture is otherwise conclusively ascertained. It is conclusively ascertained by the fact that the contents of the bottle killed small animals in precisely the same way as Battley's with from five to ten per cent. of Fleming's Tincture of Aconite in it. So that the test of the sensation produced, and the test of the destruction of animal life, both together lead you to the conclusion that the contents of that bottle, taken from the old lady's pocket, consisted of

Battley's Solution, with from five to ten per cent. of tincture of aconite added. And there was antimony in it; that was ascertained, too, by the chemical analysis. Who put antimony —who put aconite into that bottle? Here, again, you probably trace the finger of a medical man. It was not like a servant girl between sixteen and seventeen, to find her way to the doctor's repositories and put in a little antimony and a little tincture of aconite. It seems to have been skilfully done; but it was done, and it must have been done before the old lady's death; for it entirely accounts for that death, and there is no other way of accounting for it. Her symptoms were precisely such as would be produced by taking a considerable dose of the mixture to which these poisons had been added. Solicitor-General

Now, gentlemen, let us see how the prisoner behaves with reference to her illness. You will remember from the short narrative which I gave you of the facts attending her death, that, although the old lady had complained of an inclination to be sick between six and seven, she had after that gone into the consulting-room and had written letters, and she had left the consulting-room to appearance well enough, and walked upstairs alone. She passed the servant girl—I think Mary M'Leod—on the stair about nine o'clock, and she was half an hour in the bedroom with her daughter before she rings her bell; and then she wants hot water to make her vomit. She complains only of the inclination to be sick even then, and has hot water brought to her twice for that purpose. And it is not till the bell has been rung a third time that the servant goes to the consulting-room to bring up the doctor, and, finding him there with a patient, he is delayed some minutes, but he goes up, and, so far as she knows, for the first time sees the old lady after the attack. That is the evidence. Dr. Paterson is sent for, and the account he gives is very striking and very important—so much so that I must take the liberty of reading a part of it to you. [Reads that portion of the evidence which referred to the prisoner's account of Mrs. Taylor's attack and illness upon Friday night, the 24th February; and also extracts from the evidence of Mary Patterson and Mrs. Nabb, describing the finding of the Battley's mixture bottle in the pocket of Mrs. Taylor after her death.] I think you will be satisfied that there is no truth in the statement which Dr. Pritchard made to Dr. Paterson, that Mrs. Taylor was in the habit of taking a drop occasionally—meaning that she was in the habit of taking spirits; that there was nothing to justify the expression that she was in the habit of doing so at all. There is no reason to suppose there was any truth in the statement he made that she (the old lady) had been indulging in liquor for a few days, and had also taken an overdose of opium.

Solicitor-General It is certainly unfortunate for him, in other respects the most unfortunate of men—if he should prove to be innocent of the crimes with which he is charged—to have stumbled into the terrible error of making these false statements. One of these was when the old lady was still living; he stated to the doctor whom he had sent for to come and see her, that she was in the habit of taking a drop occasionally; the other, that he stated to Mrs. Nabb, the washerwoman, that she had been indulging in liquor for some days, and accounting for her death by an overdose of opium. In addition to that, the first statement which he makes to Dr. Paterson is a very strange one. He had told the young man Connell that Mrs. Taylor was seized with apoplexy, when he came down from the bedroom, and was going into the consulting-room, after the short time, so far as we know, he had seen the patient. He sticks to that main point, or rather to an account that looks something like it, for Dr. Paterson had been told that, half an hour or an hour before, when writing letters in the consulting-room, after having partaken at supper of some beer, the bitterness of which was remarked upon, she had tumbled off her chair in a fit on to the floor, and had been taken up to the bedroom. That, however, is not according to the truth, for she had walked unaided from the consulting-room, where she had been writing her letters, up to the bedroom at nine o'clock, passing the servant on the stair. She had had no tumble or fit at all. Now, the prisoner knew nothing of her having the attack till the bell had rung three times, and hot water had been twice taken to her by the servant to make her vomit. And even after the third ring he was prevented from going up for a short time, having a patient waiting upon him in the consulting-room. The accounts, therefore, do not agree. It was a strange exclamation he made in presence of the servants, as if he had only accidentally discovered from Mary M'Leod—who, by the way, swore that she told him nothing about it—that she had got Mrs. Taylor a supply of Battley upon the Monday. Then it is a singular admission in connection with it, that before her death—before anything was found in her pocket at all—he told Dr. Paterson that a few days before she had purchased something like half a pound of the solution, that she was in the habit of taking it regularly, and that, probably, her illness was to be accounted for by her having taken a good swig of it. That she was in the habit of taking this mixture—this solution of opium—is clear enough, and also that she had done so for years, so that an ordinary dose would have little effect upon her. That he knew that she did so is very probable, nay, that he knew it is certain, according to the case which is presented to you by the prosecution. He had availed himself of that knowledge, and had got hold of

the bottle, which the old lady kept to allay her neuralgic headaches or to relieve the excessive perspirations from which she suffered, and into it had introduced what he alone had the opportunity or means of introducing—these two deadly poisons. Solicitor-General

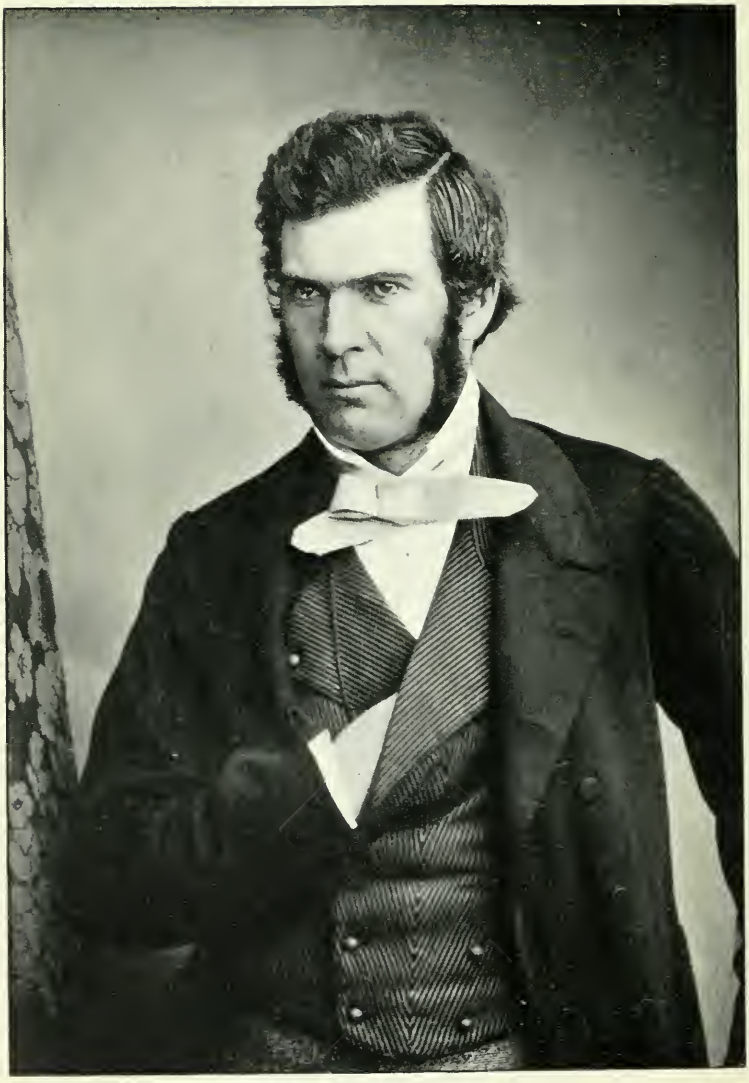
Gentlemen, these falsehoods are very striking—very striking indeed; and they were followed by others. He sent old Mr. Taylor to Dr. Paterson to see if he would grant a certificate. Dr. Paterson showed the genuineness of his feeling upon the subject by refusing to grant any certificate of Mrs. Taylor's death, and by informing the registrar that the death was sudden, unexpected, and to him mysterious, and that he would grant no certificate. Then Dr. Pritchard grants a certificate himself. He says that twelve hours before her death she had been suffering from paralysis, and that apoplexy had supervened an hour before her death. He says—"Primary disease, paralysis; duration of that, twelve hours; secondary disease, apoplexy; duration of that, one hour." Dr. Paterson had refused to certify. He then certifies himself, and certifies falsely. She was not suffering from paralysis twelve hours before her death. And he says she was suffering, and again falsely, from apoplexy one hour before her death. There was no paralysis, except the paralytic affection which was caused by the aconite, and that was not before she went upstairs at nine o'clock in the evening, which was only four hours before her death; for she died about one o'clock, or rather at half-past twelve. There never was any apoplexy at all—she died of poison. Now, gentlemen, here is a murder—a crime occurring as an episode in the course of another—committed in this doctor's house, and you have a false certificate from him, a false statement of the cause of death. Who could have poisoned her if he did not?

I forgot to mention—allow me to supply the omission—that there is a mysterious matter in this case—indeed, two of them—the one relating to the poisoning of some tapioca which had been got from a grocer's, I think, on the 13th February—and the other regarding the sickness of the student lodging in the house in November, and again in February. I suppose it is clearly shown that antimony was the poison used in the tapioca that had been got and given to Mrs. Pritchard, and that that antimony had been put into the parcel before the tapioca was prepared. It was purchased entirely for her use. A sufficient quantity of antimony was put into it, not to cause the death but the sickness of anybody who took it. Keep in view that the method of poisoning alleged against the prisoner here is not the giving of a dose that would kill, but the introducing the poison into the food given in such quantities that the taking of it would

Solicitor-General

not kill, but produce sickness merely; the intention being, in dealing with the victim who is aimed at, to produce and continue the sickness for months, the fatal termination then supervening. A poisoner in this way practising the dreadful art successfully, would not be very apprehensive of even himself or any one else taking the food accidentally, as it would only make them sick. He knows that to produce death it will be necessary to continue taking it for a long time. Into this tapioca antimony is introduced—sufficient to produce sickness in anybody taking it, but not to produce death. It was intended as part of the scheme to extend the poisoning over a long period of time. But Mrs. Pritchard does not get this tapioca; she does not want it after it is made. It is taken by Mrs. Taylor, and she is immediately seized with all the symptoms of poisoning by antimony. She is sick in the same way—I think she expressed it—as her daughter was; because the effects were the same. That tapioca was not put out of the way, as it might be required again; and if Mrs. Pritchard had wanted tapioca again, she would have got that, and the poisoning would have been carried on by means of it. If anybody else got it it would be a misfortune, but not much more. It would produce sickness, but not destroy life; and who could have introduced antimony into the tapioca except the master of the house, who was an adept—as I think I have proved against him—in such a mode of poisoning? The bag containing what was left of the tapioca which had produced sickness in Mrs. Taylor is found afterwards in the kitchen, is analysed, and ascertained to contain antimony. I don't know how many persons in that house, if even more than one in November, partook of poisoned food; but some food had been poisoned. I take that for granted, and that it had been taken at least by one of the boarders, named Connell. If it was illness from natural causes, not produced by poison at all, it is not presented by me as part of the case. If he had taken naturally ill one day and had remained ill a week, or was more or less sick, not from the effects of having taken any poison, it is not a feature in the case. If the lad is sick after he had taken something into which poison had been introduced—sugar, tea, or anything else—and that produced illness lasting for some time, I say nothing was more likely to happen in that house. The prisoner does not seem to have been alarmed about it—he does not seem to have been alarmed even when he himself was sick upon some occasion in February. He knew very well there was no occasion for alarm, for sickness was the end of it; that it would require a long continuance in order to produce anything like a fatal result.

Gentlemen, I have now stated to you, I think, all the views of this case which occur to my mind as material. I have



Mr. Rutherfurd Clark, leading Counsel for the Defence.

stated to you, to the best of my judgment, the questions and the considerations upon which your verdict must depend. These questions, to resume very briefly, are these—Did both ladies, or did either of them, die from the effects of poison? If so, was that poison taken wilfully to commit suicide by both or either of them? Was it taken accidentally, by the mistake of the persons themselves, or of some other person? If you answer the first of these questions in the affirmative, and the second and third in the negative, you are then shut up to this other question—Who committed the murder?—for murder, upon the assumption of these answers to the questions I have stated, was committed. It is quite competent for you to find the prisoner guilty of the one charge and to acquit him of the other; but I submit to you, as the truth of the case, that he is guilty of both. I have stated to you the various considerations which appear to me to be of weight in determining conclusively your answers to the various questions which I have submitted for your consideration. By presenting the case to you as I have done, and maintaining the charge now at the close of the evidence as it was stated at the beginning, I have discharged my public duty to the best of my judgment, and, you will believe, conscientiously. It is for you now, after you shall have heard the powerful, and I am sure altogether becoming and proper defence which will be stated for the prisoner by my friend Mr. Clark, to consider how you are to discharge yours. If my friend shall be able to convince you, by arguments which you think the evidence warrants, that that evidence is insufficient—that you cannot, without serious doubt and misgiving, pronounce the prisoner guilty of both or either of these murders, then undoubtedly it will be your duty to acquit him; for in that case he will be entitled to acquittal. But if, on the other hand, you are satisfied upon the evidence that he is guilty of both or either of these charges —if the effect of the evidence, considered calmly and dispassionately, is to produce that conviction upon your minds—then your duty to the public, to yourselves, and to the oath which you have taken, is to pronounce a verdict according to what, in that view, is your opinion of the truth of the case, finding that he is guilty. **Solicitor-General**

Mr. Clark's Address to the Jury.

Mr. Clark then proceeded to address the jury as follows:— Gentlemen of the jury—Under this indictment the prisoner is charged with the commission of two murders—the one the murder of his mother-in-law, Mrs. Taylor; the other, the murder of his wife. The annals of human crime are indeed **Mr. Clark**

Mr. Clark black enough; but if he be guilty of the charges that are made thus against him, I do not hesitate to say that he is the foulest criminal that ever lived. He is a member of an honourable profession, whose duty and whose pleasure it is to assuage suffering, to ward off the attacks of disease, and to do their best to prolong human life; and we all know how nobly, how generously, how unselfishly that duty is discharged. But here it is said that the physician became the destroyer, and used his art of healing to sap the foundations of life. Black, indeed, would be a crime such as that, but it in no degree indicates the measure of the prisoner's guilt, if he, indeed, be guilty. He is charged with having murdered two defenceless, trusting, devoted women—of one of whom (to use the expressive language of Dr. Cowan) he was the idol, and to the other of whom he was united by the most tender of human ties—who was the mother of his children, and who loved him with a deep and lasting love. He cannot plead that any angry passion drove reason for a time from her seat, and led him to the commission of this foul act. Provocation cannot even be pleaded as a weak palliation for the crime. No: I accept the words of the Solicitor-General, and say that, if he did commit the crime of which he is charged, it was a cold-blooded, deliberate poisoning of these two trusting and loving women. Still, even yet, the measure of his guilt, if he be guilty, is not full. His cruelty knew no compassion; for if it be true that he poisoned these women, he did not resort to the use of such drugs as in a few minutes or hours might have put them beyond the reach of pain, but chose rather to practise his devilish arts by slow degrees, so that the poison which he was administering should gradually sap his wife's life. It was a poison which, if the case against him be true, was administered day after day, and week after week; and yet, during the two or three months which elapsed from the commencement of the administration of this subtle agent, he is represented as watching over the tortures and agonies of the being whom he was destroying, pretending to soothe that anguish which his own act had created, and holding loving intercourse with—nay, sleeping by the side of—that woman, whom his infernal practices had doomed to death.

Gentlemen, that is the crime with which he is charged. It is not less, but it is indeed, I believe, much greater: for I have only attempted feebly to portray those feelings of horror which must necessarily arise within every well-regulated mind, in conceiving a guilt so great as that of which the prisoner is charged. But if, indeed, it is true that that is the charge, then, I think, gentlemen, I am well entitled to say that, before you can hold him guilty of offences like these, you must have presented to you overwhelming evidence of his guilt; for I

think it is hardly in the mind of man to believe that there ever was made a wretch so foul—a person so utterly devoid of human sentiments and human feeling, as to practise deeds so frightful as those that are stated against the prisoner. I make these remarks simply for the purpose of pointing out to you the character of the charge which is here made, because, unless you have before you the character of this charge, you cannot well appreciate the evidence which the Crown says establishes it. You must have had before you evidence in which there can be no doubt—evidence strong, clear, overwhelming, that brings home to your minds and consciences, without the slightest suspicion of the accuracy of your conclusions, that the prisoner is guilty. But if there be any doubt—and I hope to be able to show you that there is much doubt—if there be any reasonable doubt in your minds of the truth of this charge, I need not repeat what has already been said by the public prosecutor, that the prisoner is entitled to the benefit of that doubt. Mr. Clark

But, gentlemen, I have not yet seen any reasonable ground on which it can be said that so fearful a crime has been proved against the prisoner, for I beg to say that you must keep in view that the public prosecutor has not been able to assign or suggest any motive for the commission of such a deed. True it is that the Solicitor-General endeavoured to show that he need not assign or suggest a motive; and I am not here to plead that murder may not be committed although no motive for murder is known to exist. But still, gentlemen, in considering whether there is evidence sufficient, it is hard to throw out of view whether or not there were considerations which might, in any degree, have impelled him to the commission of these crimes; and all that the Crown have been able to suggest are, I think, these trifles arising from the connection which it is said he had with Mary M'Leod, and from the expectation of some succession to be derived from the death of his mother-in-law, Mrs. Taylor.

Gentlemen, if Mary M'Leod upon this matter is to be believed—if, without any corroboration whatever, Mary M'Leod's story is to be taken as true—if, in the absence of the proof of any familiarity whatever observed in that household between the prisoner and her, the statement which she made to you on the first day of the trial is to be taken for proof, I cannot help it; but you cannot conceive that the motive which the Crown suggests would have influenced the prisoner to the commission of this crime. The motive, if I understand it, seems to be that he desired to marry this girl, of whose person he had already had possession, and that he had chosen, in order to carry out that intention, to tread over the dead bodies of those two defenceless women. Marriage may, as she said, have been spoken of in jest, and it may have been a motive

Mr. Clark to some one to commit the crime; but it is impossible to conceive it to be a motive to the prisoner. And in the case of Mrs. Taylor, surely the motive was less. It appears—for the Crown have been at the pains to show it—that this unhappy man had his bank account overdrawn by some £300, and had borrowed upon two policies of insurance to the extent of £200—insurances which he had effected in 1851. They tell you that, though he was the idol of Mrs. Taylor, and was able, I daresay, to obtain anything which that lady could give him, nevertheless, to obtain some chance of succession—for he did not even know of the existence of the will which settled the life-interest of her estate upon his children, and, in the event of her daughter's death, gave him the annual interest until his children reached a certain age—he murdered this old lady who had trusted him and loved him so well.

Gentlemen, it is not in human nature to believe that these motives which are assigned or suggested by the Crown could ever, in the least degree, have actuated any human being to the commission of offences so hideous as these. And therefore, gentlemen, you must approach the consideration of the evidence in this case, keeping fully before you the fearful crimes which are charged against the prisoner, and keeping this further before you, that there is no assignable motive or motives which can be suggested that could in the least impel him to the commission of such crimes. But the Solicitor-General says the crimes are so similar—the illness of the daughter is so very like that of the mother—that probably you would trace in all this, to use my learned friend's expression, the finger of a medical man; and he dealt with this probability as proof upon which you are to proceed in this case. But put the likelihood of this before you, and consider then if this be a crime which a doctor would, in such a position, be likely to commit. You had it proved in evidence yesterday that in cases of poisoning by a metallic poison, such as antimony, the poison is necessarily found in the body of the victim, and proves always to be the surest means for the detection of the crime. No doubt Professor Maclagan said that it was possible there might be cases in which all trace of metallic poison might disappear; but his long experience—and no one has had greater experience than he—did not enable him to cite any case which had actually occurred. And consider further that this was not only a crime which a medical man was unlikely to commit, but it was a crime which was not committed in the best way; for he used no occult poison, of which, as a doctor, he had the knowledge, but he used antimony which, as a medical man, he must have known left traces clear and unmistakable. When you assume, therefore, the liklihood of his committing these offences, yet from the character of the crime, from its mode of commission, it

is impossible to say there is anything to lead you to suppose that as a medical man he would commit it in the manner in which the Crown accuses him. Mr. Clark

Now, to sum up these considerations which the Crown have pressed upon you as indicating that the prisoner must have been the person who committed the crime, they are—that, in the first place, he had an opportunity of committing it; and, in the second place, he was in possession of the means. It is far from me to deny or dispute that he was. If the charge of poisoning be a charge of poisoning by a husband against a wife living in the same house, to say that there was opportunity is simply to allege that they stood in that relation towards each other. That particular goes a very short way—indeed, goes no way at all—in even suggesting or indicating guilt. Opportunity in many cases does so, and forms a frequent topic in this criminal court, but never in such a case as this. If you find a case where the crime is committed, and where the person who has been charged with committing the crime has made an opportunity for himself—has been zealous in obtaining opportunities—then opportunity is of the greatest possible importance and the strongest possible evidence; but to say that he has opportunity in this case is nothing more than to say it was likely, as, indeed, it was true, that the husband who was attending the sickbed of his wife should carry to her some of her meals himself, and send some up by others. But that he should do so is, I am sure, neither unnatural, nor does it suggest guilt. It would have been frightfully suggestive of guilt if, instead of sending up these meals, and taking them up himself, he had always chosen some other agent to carry up these meals and administer the food she was taking. If that had been the case, I should have been inclined to say that the Crown would have had a case much more strong to indicate guilt than they have when, as it stated here, he was ministering to the comfort of his wife while upon her sickbed.

Was it remarkable that he was possessed of the means of killing this woman by being in possession of poison? He was by profession a doctor, and had, no doubt, as I daresay most doctors have, considerable quantities of drugs in his possession. No doubt it came out yesterday from the evidence of Mr. Campbell that the quantity of aconite which he had was greater than that gentleman had ever sold to a medical man—as much, indeed, as he used in his dispensing business in the course of a whole twelvemonth. But see how little you can trust evidence like that, for we put into the box to-day two gentlemen who told you they were in the habit of making up prescriptions of aconite containing in each no less than half an ounce, and that they were in the habit of selling large quantities of that tincture in a year. No doubt the prisoner was in the habit

Mr. Clark of using large quantities of tartarised antimony, and much of this he is charged with having administered to his wife. But does that prove anything in this case? It merely proves that he was in possession of the substances which he is charged with having administered to those women. To that extent the Crown have proved their case; but how far is it possible to say that he obtained those poisons for the purpose of committing murder? The possession of those poisons is founded upon by the Crown as showing that he intended to use them for a felonious purpose. But is it possible to conceive that he bought those quantities of antimony and other drugs for the purpose of committing murder? It is perfectly out of the question to suppose so. If those poisons had been so used, they must have been most destructive, as the strength was enormous. The amount of aconite necessary to kill is a very minute dose indeed.

But it is not unimportant in considering this question, and it is very important especially in considering the argument of the Solicitor-General—that these poisons were not kept in any locked press, but, upon the contrary, were within the reach of the household. If one thing is established in this case it is the fact to which I now allude. I am not commending the prudence of leaving drugs exposed to those in the house. It is not a question of prudence, it is a question of crime we are considering, and it is established by all the evidence we have heard that those poisons were kept in an unlocked press in the consulting-room, within the reach of the other persons living in the prisoner's house. And take in connection with this matter, what I think the Solicitor-General could hardly explain, namely, that it further appeared that Connell, one of the boarders in the house, took ill in November, when Mrs. Pritchard was absent; that his illness recurred in February, when, no doubt, Mrs. Pritchard was in the house; and that the doctor himself took ill precisely in the same way, both indicating all these symptoms of poisoning which are relied upon as establishing that the persons into whose death we are inquiring, died from the effects of the poison. The Solicitor-General says, "Oh, the doctor would take no harm; I can hardly conceive of the prisoner being poisoned." It is perfectly incredible that while in the course of poisoning his wife he so suffered and took no notice of it. I think I shall be able to show you—it is a remark I have to make, and I think it is right you should have it in view—when we come to consider the articles of poisoned food which are in question, which the Crown say are poisoned, that there was not one of these articles of food which ever reached the lips of Mrs. Taylor or Mrs. Pritchard without passing through other hands than those of the prisoner; and it is odd enough that, in regard to

each of these three articles of poisoned food, the person who administers it, and who carries away the food left, is this girl Mary M'Leod. Mr. Clark

Now, gentlemen, these are the preliminary observations which I think it right to make in considering the question upon which you are now called upon to decide. It will not do, I again repeat, to proceed upon suspicion or probability. You can only proceed upon proof, as distinct from conjecture, suspicion, or probability. It will not do for the Solicitor-General, in conducting this case, to say, "I have established that one of two persons must have committed these crimes," and that you can probably trace the finger of a medical man in connection with those crimes. Probability will never support a conviction. It will not do for my learned friend to say, as he did at the close of his speech, as regards the death of Mrs. Pritchard, it was the act of either the prisoner or of Mary M'Leod, but that it was not likely that a girl of fifteen would have the skill to do it. Do you not think that he shrinks from the onus of proof when he accepts this convenient mode of getting rid of the difficulty, as he must prove that it is one of those two persons who did it? He must prove by evidence that it was not Mary M'Leod, or some one else in the house, and it was only by showing that it was not Mary M'Leod that he can bring this charge home to the prisoner. And, gentlemen, while on this topic, let me make this further observation before I examine more minutely the evidence of the case. I was struck, in the course of this trial, by a very singular omission on the part of the Crown, intentional as it must have been. They were speaking of the persons who cooked the food; and they came to Catherine Lattimer, who spoke to the tapioca in which they said antimony had been placed. They asked Catherine Lattimer if it was true that she put nothing into that tapioca, and she told you that there was nothing in it except tapioca, and that Mrs. Pritchard chose to put the sugar into it to suit her own taste. But it is remarkable that when the Solicitor-General puts that dilemma to you upon which his whole case is founded—that it was either Mary M'Leod or the prisoner—in the course of his examination of Mary M'Leod he did not venture to ask the question, "Did you put nothing into these poisoned articles which, by your hands, you have carried to the lips of these two victims, Mrs. Taylor and Mrs. Pritchard?" It is a singular omission in the case of the Crown, which necessarily depends upon being able to select between those two persons whom the Solicitor-General stated were the only two persons who could have committed the murder, that they did not venture to put the question to exclude upon her evidence the fact that she might have been guilty. And this is all the more strong, please to keep in view—all the

Mr. Clark more strong that I shall trace immediately through her hands, and through her hands alone, every article of poisoned food of which we have heard; and I think I will be able to show you that the prisoner had nothing to do with any one of them.

Now, gentlemen, let us take the two cases separately; and as Mrs. Taylor was the person who first died, I shall state shortly the case which I have to submit to you upon the evidence applicable to this unfortunate lady. Mrs. Taylor was taken ill on the 24th February. Some uncertainty there appears to be about the hour. She had come on the 10th; she was taken ill on the 24th; and ultimately died early in the morning of Saturday, the 25th February. Her illness was not long. There were certain symptoms commented upon by the Solicitor-General, of her vomiting and purging in the course of that forenoon; but it is quite certain that she did not die of the administration of antimony. It is proved by the medical evidence—and it is the case of the Crown—that in her case antimony was not the agent which caused her death; but it is said that it was a more subtle poison still; and they attributed it to the aconite which existed in that solution of morphia of which she was possessed, and which she used to a considerable extent. Now, let us see what the evidence is as to the cause of this lady's death. Antimony was found in her body on the chemical examination after her death; but, as I said before, we may discard that, for it is not now said to be the cause of her death. There is a question whether it was opium which she herself possessed, or whether it was aconite which had been murderously introduced into the opium. The case for the Crown—that aconite was the cause of death—necessarily depends upon their being able to show, from the symptoms which were observed by Dr. Paterson—the only person who saw her alive when she was suffering under the influence of the poison—whether these symptoms are to be attributed to aconite to the exclusion of opium, or at all events to be attributed to aconite taken along with opium.

What is the evidence which we have upon this matter? I take what I think is not unnaturally the evidence which is best to be relied upon—the evidence given by the gentleman who observed the case; because the only two others who were examined upon the matter—Dr. Maclagan and Dr. Littlejohn —were merely giving scientific opinions. Dr. Paterson stated on his examination that he believed, when he saw Mrs. Taylor on the 24th February, that she was narcotised—suffering under opium, dying from its influence—and he described the symptoms, which I need not go over. Amongst others, he described the symptoms of laborious, oppressed breathing, which he at a subsequent examination described as what some people would call stertorous breathing; described, further, coma as existing—

a coma which, at the time of observation, he looked upon as the coma which is produced by the taking of a narcotic poison, such as opium. Now, no other person has anything further to go upon, so far as symptoms are concerned, except what Dr. Paterson, the only observer, himself observed; and Dr. Paterson, having heard the whole history of the case, and having been examined, retained the opinion which he had before expressed—which he had expressed at the time—and attributed the death to Mrs. Taylor taking too much opium. He did not suppose that there was any indication whatever of the presence of any other poison. No doubt he said, in answer to a question put from the bench, that it was not impossible that aconite might have been present; but surely the statement that it is not impossible that aconite was present is not a statement which can in any degree support the case of the Crown. Mr. Clark

And what do the other medical gentlemen say? I asked Dr. Maclagan, who studied the question, if these were the symptoms of poisoning by opium, and he said they were not. I asked him why he said there was no coma, and that the breathing was imperceptible and not laborious. Dr. Maclagan had not observed very minutely what Dr. Paterson said, for Dr. Paterson said there was coma—that there was laborious, oppressed breathing. I referred Dr. Maclagan to the testimony which Dr. Paterson gave, and he said, "You may throw that out of account altogether; it is of no consequence. Imperceptible breathing does not indicate aconite as distinct from opium." Upon this he founded his opinion that aconite was present, and that she was not suffering from opium. He threw out of view that symptom when he found that he had omitted to notice that Dr. Paterson was particular in establishing that there was oppressed breathing as contra-distinguished from imperceptible breathing, which indicates the presence of aconite. But Dr. Maclagan went further and said, "It is oppressed breathing only, not stertorous breathing." But Dr. Paterson was recalled, and we have him afterwards stating that he preferred to call it oppressed breathing, and that most people called it snoring or stertorous breathing. The words imply the same meaning. Therefore I think it is out of the question to say that the Crown have established the proposition upon which the whole case of the Solicitor-General rests, that aconite was the agent which led to this lady's death. I am assuming—I don't care to enter into the question—that that lady had not died a natural death. But I only ask you to consider whether there is evidence on this point, on which the whole case for the Crown turns, of the administration of aconite. For I think the best evidence is that of the observer at the time—an observer not, as I shall afterwards be able to show, in favour of the prisoner, but against him—who tells you that both at the

Mr. Clark time and now he is of opinion that opium was the agent which caused death.

Let us now see whether it was not possible for this death to occur without in any degree being connected with the prisoner. Assuming for a moment that opium may have been the cause of death—I am not bound to put it in the least degree higher—let us see whether it was not possible that this death might have occurred without the agency of the prisoner. Let us assume for a moment that no antimony had been administered—I shall consider the proof as to that—what was more likely than that this old lady might have taken a large dose of opium, as was suggested at the time by Dr. Paterson, and was spoken of by the prisoner himself, who said he believed she had been indulging in that stuff? It is the case for the Crown that she was suffering from vomiting and purging; and what, I ask, more likely than that, to relieve the pain from which she was suffering, she might have overdosed herself with the drug, of which she was so plentifully in possession? And if this is a fair and reasonable theory to take, why should you go upon the probability of the Crown, and say we shall prefer the probability of the Crown to the probability of the other side, and find that Mrs. Taylor died from the administration of aconite, though it might have been that opium was the cause of her death, of which she herself was abundantly possessed? I do not say that the old lady committed, or intended to commit, suicide; far from that. But a person in the habit of using dangerous drugs, even though acquainted with the use of them, may have killed herself by an overdose, more especially if it be true, as the case for the Crown indicates, that her system had been reduced by antimony previously administered. Nothing was more likely to have happened than this—that, being so reduced, and taking an overdose by mistake for the purpose of relieving herself from the pains and vomiting from which she suffered—nothing, I say, is more possible than that she may have taken too much for her reduced system of body, and died from taking that opium in the possession of which she was to such an extent.

But, gentlemen, all these considerations are of very little consequence until you come to the question of considering whether there is proof of the administration. It is of comparatively little importance in what way this unhappy lady died; but it is of the greatest consequence whether it was from the prisoner's hands, or through his instrumentality, that the poison was received. Now, I think I can show you that, as regards this unhappy woman, there is no proof that he administered any poison whatever. The only poisoned article which the Crown can even by their own evidence suggest that she received was the tapioca which was obtained, I think, upon the 13th for Mrs. Pritchard's use. The case of the Crown is that anti-

mony was put into it by the prisoner; for the tapioca, no doubt, contained antimony. Let us look at the history of this tapioca; it is a very important item in the case. It would have been well if the Solicitor-General had explained at a little greater length how he connected the prisoner with it. It appears that after Mrs. Taylor came to visit her daughter on the 10th February—on the Monday following, the 13th—it was suggested, apparently through Mrs. Taylor, in the course of the forenoon of that day, that Mrs. Pritchard would like some tapioca. There was no talk previously of there having been any tapioca required for the use of Mrs. Pritchard. She was ill and in bed, and her mother thought that tapioca would be food which she might relish, or, it may be, Mrs. Pritchard herself may have suggested that she should like it. Accordingly, some tapioca is got by the little boy, who is sent to buy it, and it is brought in and received, oddly enough, by Mary M'Leod. She says it was placed for some short time—she does not tell how long, about half an hour, perhaps—on the lobby table. According to Catherine Lattimer's statement, Mary M'Leod takes down the tapioca to Catherine; but, according to Mary's statement, it was taken down by Mrs. Taylor herself. Now, the suggestion of the Crown here is that the prisoner put this antimony into the tapioca, and that it was so nicely adjusted to the tapioca which had been bought as to produce sickness leading to death, but not to produce death itself. From what the Solicitor-General said it would have been certainly of some importance to have shown that the prisoner had any opportunity of putting any poison into the tapioca, but it is not even proved—there is not a shadow of evidence—that he had any opportunity whatever. The tapioca was received by Mary M'Leod, and taken down to the kitchen after having lain a short time on the lobby table; and there is not a vestige of evidence to show that the prisoner was even in the house at the time. Catherine Lattimer and Mary M'Leod could have told you that, but there is not a suggestion on the part of the Crown that Dr. Pritchard was present in the house at that time. He was a man accustomed to exercise an active profession, and, of course, naturally, would be out at that period of the day; but, at all events, it is not even shown that he was aware in the least degree that his wife desired tapioca, or that his mother-in-law had ordered it. It is not even shown that there was the least possibility of his introducing antimony into that bag. The antimony must have been in the bag before it was taken down to Catherine Lattimer, because Lattimer prepared the tapioca from it, and that tapioca is said to have been poisoned. It is prepared by her and carried up by Mary M'Leod to Mrs. Pritchard, who declines to take it, and it is taken by Mrs. Taylor, who, according to Mr. Connell, one of the students living in the house,

Mr. Clark

Mr. Clark became ill after partaking of it. Now, when you have poison found in a house, passing undoubtedly through certain hands, and among those through the hands of the only person whom the Solicitor-General says he must exclude before he can convict the prisoner, how is it to be supposed that Dr. Pritchard could have anything to do with putting poison into this tapioca, of the existence of which he did not know, and seeing, moreover, that he was not in the house at the time, and there is no suggestion that he was? The antimony was put into the bag in the house; but then the prisoner is not proved to be there. Are you to hold, therefore, that his was the felon hand that put in that antimony for the purpose of taking away his wife's life, and that he adjusted it with such nicety of measurement as to ensure that too much poison was not taken in any portion? To have done this would have taken much more time than he could have had, even though he had the opportunity of putting it in, supposing he were in the house at the time. On the contrary, gentlemen, I suggest to you that it is almost inconceivable that he could have done it, and that there is upon the proof, as the Crown have chosen to lead it, and upon which you must find your verdict, a greater probability that it might have been another hand than his which put in that poison. Yet with all the probability in favour of another person, the Solicitor-General's whole case is this—the murder was committed by one of two, and it is not likely that a girl like Mary M'Leod was the person.

Is there any further proof of administration in this case? Not the slightest—there is no other proof whatever; no other poisoned food traced to the prisoner, or anything to show in the slightest degree that he was connected with it. As regards Mrs. Taylor's case, therefore, that is the whole evidence of administration. But there is a bottle of Battley's Solution, which she had in her pocket, and which, apparently, she carried about with her; and it is suggested that the prisoner may have put in the aconite and the antimony which were found in that mixture. He knew, no doubt, that she was taking it; but it is not in the least degree proved that he knew where it was, in what bottle it was, or where Mrs. Taylor kept the bottle. Oddly enough, Mary M'Leod did know, for she bought it for Mrs. Taylor and brought it home. But what is the ground of the suggestion that aconite had been put into that bottle before Mrs. Taylor died? What is there to prove it? All that you have is that Dr. Maclagan and Dr. Littlejohn think the symptoms indicated aconite, though they are contradicted by the person who actually observed its effects. And what became of this bottle? It was found in her pocket after her death. Is it possible to suppose that he had means of getting at the bottle before her death to administer the poison? How could he?

It was carried about upon her person, and there is not the slightest suggestion that he ever had access to it; and yet you are asked to act upon that suggestion, because, to use the words of the Solicitor-General, "You may probably trace the administration to a medical hand." You are asked to convict the prisoner upon probabilities so vague and general that I wonder the Solicitor-General thought proper to lay them before you. No; probabilities in this case will not do. It is proof, and proof alone, that you can go upon. Now, what was the history of that bottle? It was found in her pocket, no doubt, when the body was being dressed by these two women, Mary Patterson and Mrs. Nabb, and even they did not know the very great quantity, perhaps, that this old lady had taken. But still more; supposing that she should take no aconite, she had taken sufficient of the mixture to account for her death. Assuming that the highest mark on the bottle, as spoken to by Dr. Penny, is a correct one, it would come to be not more than $2\frac{3}{4}$ ounces that had been taken. Now, what became of the bottle? It is said Dr. Pritchard took it away. No doubt that was a not unnatural circumstance; but, if he took it away after the murder, it is of very little consequence what he did with it. If he had previously put the antimony and aconite into it, would it not have been very easy for him to have thrown the bottle aside? But, instead of that, we have him expressing his surprise to these two women that she had taken such a great quantity of the medicine which she was accustomed to take. He takes away the bottle, and brings it back again, and there it remains until taken possession of and examined by Dr. Penny, who then finds that there exists in it some aconite and antimony. But where is the shadow of proof that the prisoner put it there? The bottle was lying open—it was not locked up in any way—it remained in the house from the death of Mrs. Taylor on the 25th February till after the prisoner was apprehended, more than a month later. Any person in the house might have access to it, and yet all that can be suggested to prove that the prisoner put in this antimony and aconite before her death was contained in that observation of my learned friend, that you could probably trace here the finger of a medical man. It is a singular request to you to proceed in such a case on such a suggestion. Mr. Clark

Then another consideration on which the Solicitor-General founded strongly was, that the accused gave an account to the registrar that Mrs. Taylor had died of paralysis and apoplexy, which is not, as he says, true, and which the prisoner could not have believed. Now, in the utter absence of any proof of the administration of poison to Mrs. Taylor, is it to be considered as a proof of his guilt that he said this woman had died of some disease of which she did not die—that she

Mr. Clark had died from natural disease, while really she had been poisoned? But what did he say to these two women? He said, when they found the bottle, "Good heavens, I am surprised to find what a quantity she has taken." But it seems that she was able to take about 150 drops a day, and was it, therefore, unnatural for him in the circumstances to use the expression that she had died from natural causes? Then Dr. Paterson had previously told him that, in his opinion, she had died of poisoning by opium; and what was therefore more natural than for the prisoner, on being visited next day by his father-in-law, to say, "The death was sudden and apoplectic"? Was it very unnatural for the son-in-law meeting his father-in-law to ascribe the death to natural disease, though he knew it was really to be ascribed to taking opium? It may have been wrong—it was quite wrong in him to send an improper account to the registrar, who was bound to register the cause of death. I am not justifying the act at all—I am considering only the question of whether you can infer guilt from the circumstance that he tells his father-in-law that death resulted from natural causes. Well, knowing that the unfortunate woman died from taking too much opium, I do not think that is a very unnatural circumstance; he does not wish the true cause of his mother-in-law's death to appear—he wished rather to conceal it. He tells his father-in-law what he thinks of it, and also tells him to go to Dr. Paterson; but Dr. Paterson declines to give the information, for he refers the father-in-law to the son-in-law again for the cause of death. But if he was intending to conceal the cause of death, so as to prevent inquiry, and that, too, with a guilty knowledge, would he have sent his father-in-law to Dr. Paterson? Would he not at once have certified the death himself, as he afterwards did? Dr. Paterson would not do it. His dignity or etiquette would not allow him to do it; he was the consulting, and not the attending, physician, and he takes little notice of the old gentleman, but refers him back to the son-in-law, who says, and, I think, says humanely enough, the cause of death was apoplexy, and does not choose to ascribe it to its real cause, which would indeed be painful for a husband to hear. I do not say that he was justified in taking the course he did; I am not justifying the morality of the act; but, looking to the circumstances that are presented to us, is there any degree of guilty knowledge exhibited when he asked Dr. Paterson to inform his father-in-law of the cause of death and to grant a certificate, and was only forced to take the step he did by Dr. Paterson refusing to act upon the suggestion?

But, gentlemen, there are some other aspects that he gives of it—some "false aspects" which the Solicitor-General founds so much upon, and which all depend upon the evidence of Dr. Paterson—and Dr. Paterson, I think, in a case of this kind, is

not justly entitled to all the consideration with which he was treated by the Solicitor-General; for I venture to say that no witness in a case of murder ever exhibited so great an animus as that gentleman did when he was examined in the box, and I would call attention to one or two curious facts connected with his examination. Why, he had got the exact distance between his house and the prisoner's house, for when he was asked, "How far is it?" he replied at once, "195 yards." A criminal detective could not have answered with greater precision, or given it off with a better air; but there was also something more suggested by him, which he had no reason to suggest. What he told you here in the witness-box was that he met Dr. Pritchard accidentally on the 1st of March, and that Dr. Pritchard asked him to come and see his suffering wife next day; but Dr. Paterson added, with something which I confess seemed like a sneer, "he would not have asked me if it had not been for the accidental meeting." How does Dr. Paterson know that? I should think Dr. Paterson regrets extremely having made that observation from the witness-box when he was sworn to speak upon oath, for it was merely conjecture, which could proceed from nothing but animus in his mind against the prisoner. He had no right to draw his own conclusions in that way. It might have been an accidental meeting, or it might not. Granting that it was so, as Dr. Paterson describes it, he has no right, because he is asked at this accidental meeting to visit the prisoner's wife on the following day, to say that that request would not have been made had it not been for that accidental meeting with Dr. Pritchard on the street. And I do think that, considering the bias which that gentleman has shown, and the conduct which he has displayed with regard to this melancholy case, I am not too strong in saying that very little credence is to be placed on his observations or remarks upon this case as against the prisoner. From the position Dr. Paterson occupied in the box—a position which the Solicitor-General declined to characterise, an example which I shall follow—I will leave you to consider whether that gentleman is speaking exactly the truth, or has been speaking, I do not say distinctly untruths, but speaking from the prejudice he had formed in regard to this case from the time it commenced. And consider what he said in speaking of Mrs. Pritchard, that when he was called in to see Mrs. Taylor on the night on which she died, on the 24th February, he did not speak to Mrs. Pritchard, but saw her, and, seeing her, he formed the conclusion that she was being poisoned—poisoned by some person to him unknown. That was the conviction which he formed. Well, gentlemen, he says he was frightened to tell Dr. Pritchard about it—"It was an unsafe thing to speak of," said the doctor. Was it unsafe to tell the poor father the next

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day when he came to call upon him to ascertain the cause of his wife's death—was there any danger in telling him, or suggesting that he should take some steps to save his daughter from being murdered, which he, Dr. Paterson, as a medical man, knew, or which he was convinced was being done? There was no danger—nothing but a suggestion to be made, and the woman might have been saved. Yet Dr. Paterson, in the face of the conviction that murder was being done, would do nothing whatever to arrest its course. Nay, more; even a more fearful thing was said by him in the witness-box. He was asked on the 1st March by the husband, in the manner which I have stated, to visit the wife on the 2nd March, and he did so, believing that that woman was being murdered by some one to him unknown, retaining that conviction; and, when he saw her upon the second occasion, that conviction was, he said, confirmed. And, gentlemen, Dr. Paterson told you that either through fear of breach of etiquette or dignity, being but a consulting physician, and not attending the patient, he called then merely as a friend to express condolence—he gave no hint to this unhappy lady, as he and she sat alone, about the murder which he was convinced was being practised upon her. I shall not characterise the position which Dr. Paterson holds; but if what he says is to be believed, I beg you, gentlemen, to judge of the conduct of that medical man, who was afraid, from motives of his own—fearful of his purse—fearful of his person—fearful of his reputation—to arrest the progress, or take any steps to arrest the progress, of a murder which he was convinced was being perpetrated.

Gentlemen, for Dr. Paterson's own sake, I refuse to believe that statement. It is a statement which I think cannot be believed; it is a prejudice which has grown upon this man, as its expression clearly indicated—which he has attained by brooding over this case. I do not believe that he saw any symptoms of poisoning, or else he would have acted, as every medical man would have acted, unselfishly, nobly, and generously in the matter. And when you see that this is inconsistent with the whole conduct of the profession to which he belongs, I ask you to disbelieve many of the statements which he makes. You cannot rely upon these statements, given with a bias, for he tells you what is incredible or only credible at the loss of his own honour, which I am sure he will strive studiously to guard. He has become a partisan in this matter altogether, and has forgotten what is due to his position and his profession. All that can be said of Dr. Paterson is this, that he speaks about what the prisoner said about the beer, and speaks further about what the prisoner said about Mrs. Taylor falling; yet, after all, this is merely an account of a circumstance given by Dr. Paterson some months after the matter occurred. And

because the prisoner did make some statements which are not exactly consistent with the truth as now disclosed upon the evidence, are you to believe, upon Dr. Paterson's word, and upon his word only, that these statements so made showed guilty knowledge? I can quite understand how it should be that, after there is proof of administration, you may support that proof by evidence of falsehoods which the prisoner might tell, if you have reliable evidence to prove that falsehoods were stated. But when you have no evidence of the administration of poison—when the evidence is all the other way, that he did not administer that poison, then I think you cannot eke out the probabilities of the case by appealing to falsehoods depending upon evidence like that here, as showing conclusively, beyond reasonable doubt, that the prisoner was the man who committed that foul crime upon the person of his mother-in-law. Gentlemen, that is the examination which I make of the evidence in the case of Mrs. Taylor; and you will please to observe that, though I think I have brought out the whole proof which touches upon this matter, there is no proof whatever to connect the prisoner with any administration of poison except suspicion, and this suspicion arising from the fact of his being a medical man. Mr. Clark

Let us see if it stands differently in the case of Mrs. Pritchard. No doubt he attended her bedside, as he was bound to do as her husband—as he was bound to do as a physician; and no doubt he ascribes her death to gastric fever, to which gastric fever that death undoubtedly was not due. But is it so very clear that a disease, which indicated itself in the manner which was described, might not have been mistaken even by a skilful medical man for gastric fever? On that matter, if I am not mistaken, we have no evidence. We have, no doubt, evidence now given in the course of the trial that the symptoms were symptoms of poisoning by antimony; but are the symptoms of poisoning by antimony so easily distinguished by a person assumed to be innocent of the administration of it? It is all very well at this present time, when the case has come out, and the chemical analysis has been made, for medical men to say that the symptoms are consistent with poisoning by antimony, and suggestive of poisoning by antimony—to make that statement not only when their suspicions are aroused, but when they know by the chemical investigation that antimony was present in the body. But, gentlemen, it is a perfectly different case when the administration is going on; and I do not think there is any evidence whatever to show that the symptoms of poisoning by antimony are capable of easy detection. No such question that I know of was put to the medical witnesses. Therefore, the whole case of the Crown necessarily fails on this matter, upon which they have founded so much; for they say that Dr. Pritchard is to be presumed

Mr. Clark guilty of those offences because he should easily and at once have known that something was wrong, and that it was absurd his putting it down to gastric fever. All very well, when one is wise after the fact, to ascribe it to this poison, because its presence has been previously ascertained; but consider, if you please, whether there is any evidence to show that, though he might have been wrong as to the existence of fever, he could have known or suspected that there was poisoning by antimony. The only evidence which we have upon this matter is simply an expression used by Dr. Gairdner, who saw Mrs. Pritchard upon two days, on the 8th and 9th February, and, in answer to questions from my friends on the other side, he said, "The case puzzled me very much." So much for the easy inference which was here made as inferring Dr. Pritchard's guilt, that Dr. Pritchard ought to have discovered the poisoning by antimony which was going on in his own house, himself a medical man, as the Solicitor-General so often repeated.

But if the prisoner was guilty of this crime, why was he so perfectly willing—nay, desirous—that his wife should have the assistance of friends? It was he who brought Mrs. Taylor, according to the assumption of the Solicitor-General; and after Mrs. Taylor, poor thing, was taken away, what is the history we have upon this matter? It was suggested by Dr. Pritchard that his wife should have a nurse to attend to her; and the suggestion would have been carried out but for her opposition. For you will remember that the witness Catherine Lattimer, when examined upon the first day of the trial, stated that she conversed with Mrs. Pritchard upon that subject, and Mrs. Pritchard said that the doctor wanted her to have a nurse, but that she objected to strangers. And, again, the same statement was made by her brother, Dr. Taylor, who was examined to-day, and who tells us that Dr. Pritchard offered to get a nurse, but that Mrs. Pritchard refused. Is it suggested, therefore, that the prisoner wanted to prevent his wife from getting daily and nightly attendance, and to exclude from her persons who had a knowledge of diseases? Now, the evidence shows that it was owing to her own act and wish that such attendance was not got. That is proved by the evidence of Catherine Lattimer, and still more clearly by that of Dr. Taylor. Was the prisoner desirous that medical men should be excluded from her bedside? It was suggested that Dr. Gairdner was called in at her desire; and some evidence was led for the purpose of showing that she was desirous of having a medical attendant; and that she called her husband a hypocrite. To this the Solicitor-General made no reference, and very properly so, I think, as there was no doubt it was spoken under the influence of delirium. Dr. Gairdner was there on the 8th and 9th February, he says; and he told you that

a message had been sent to him telling him not to come again, and that it was from Dr. Pritchard; but when we examined Dr. Taylor to see whether Dr. Gairdner was stopped from going again to see Mrs. Pritchard, we found that it was Mrs. Pritchard herself that took exception to his attendance, and prevented it. Dr. Paterson again was called in. No doubt there was an accidental meeting; no doubt, according to Dr. Paterson's statement with reference to this matter, it was not designed that he should call again, but for that statement there is no foundation except the bias which it would have been better if he had kept to himself. So that there is no reason to suppose that, in order to poison her, the prisoner kept persons away from the bedside of his wife, for it was her own act that prevented her having Dr. Gairdner, and it was also her own act that prevented proper attendants being obtained. I submit, therefore, that there is no probability in the circumstances on which the Solicitor-General founds, that the prisoner was desirous of secluding his wife from supervision, that he might the more secretly practise the arts which he is accused of having practised against her.

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And, now, let us turn to what is the proof of administration. It is very idle for the Solicitor-General to say, "I reduce the case to a question between Mary M'Leod and the prisoner." It is not enough to say that a girl of seventeen would not likely have been guilty of it, but I should have liked the Solicitor-General to have shown anything like proof of the administration of poison by the prisoner. He should have shown that the poison never reached his wife by other than his own instrumentality.

With reference to the question of poisoned food, the first thing I shall notice is the poisoned cheese; and it is said that the cheese was poisoned by antimony, a white powder, which the prisoner is said to have had in his possession. We will see if there is any evidence to show that that was done by him. What is the history of it? It is spoken to by the girl Mary M'Leod. She tells you that she had taken up the tray for supper, and that on the tray were the cheese and other things which were placed on the table at which Dr. Pritchard and the other inmates of the house were sitting; that she came out, and that, on returning again, Dr. Pritchard handed to her a piece of cheese and told her to take it to her mistress. She did not see it cut off the cheese; but Dr. Pritchard handed it to her while sitting at the table; and it is perfectly obvious that it must have been cut off the cheese eaten by the family at supper. If he had placed antimony upon it, it must have been placed upon it in the presence of the persons at supper. You have heard the cheese described—a piece of yellow cheese—which must have indicated the white powder of tartarised

Mr. Clark antimony if placed upon it. It was antimony that was placed upon it if you believe the medical witnesses, because Dr. Maclagan and Dr. Littlejohn stated that it indicated antimony in the symptoms it produced. Is it possible that that cheese was drugged by Dr. Pritchard? Dr. Littlejohn suggested the possibility of his putting the tartarised antimony into the egg-flip; but it was not asked if it were possible to put this tartarised antimony upon the cheese while sitting at supper; and I leave you to judge if it were possible. The piece of cheese was taken up, oddly enough—I cannot help noticing the coincidence—by Mary M'Leod. She says she ate a part of it, and that it did her no harm; but the residue was taken down to the kitchen and eaten by Mary Patterson, and she suffered from vomiting. Now, will you take it into your minds if it was possible that the prisoner could have poisoned that cheese by putting on antimony when it was in the dining-room—sitting in the presence of others who were in the room. If he had wanted to poison his wife—and that is the case placed before you—how easily he could do it in a hundred ways, without exposing himself to the observation of all those people sitting round the table, and who could not but have detected it if the thing had been done.

Look again at the egg-flip, on which I will say a single word or two. The egg-flip was prepared in this way. The doctor comes and tells his servant to prepare some egg-flip, a thing not unnatural to be taken by a person with a delicate stomach, as undoubtedly Mrs. Pritchard was suffering from, and not an unnatural thing for a medical man or a friend to order. But the Solicitor-General says that this was a plot for Dr. Pritchard to get in his drugs in this way; and he says, with a sort of sneer, that Dr. Pritchard told her to beat it very smooth, as if for the purpose of more easily administering the poison. He supposes that he went through the dining-room and got the sugar, and then into the consulting-room, and then that he went into the pantry and dropped the pieces of sugar on which he had put antimony into the egg-flip. Does he give any proof of this? Does he suggest anything more than suspicion? What is the proof of its being there? The Solicitor-General seems to have doubted whether the prisoner could along with the sugar have put in so much antimony as to have produced the effects which the servant girl says that she suffered; and he asks Dr. Littlejohn if it was possible. Dr. Littlejohn says, "I think it is possible." I asked Dr. Littlejohn if he had ever made an experiment. He answered, "Not a direct experiment." Then I asked, "Did you ever make an indirect experiment?" To which he replied, "No." "Then you made none at all?" "No, I did not, but from my medical knowledge I think it was quite possible." Dear me! is that the kind of evidence you are

to be asked to rely upon? A possibility at the best, according to the statement of Dr. Littlejohn—a bare possibility—that the prisoner could have put in this drug with the sugar; and it was hardly possible to suppose it could have been done out of the sight of the girl Mary Patterson. The easiest thing in the world would have been to have prepared some pounded sugar in the dining-room, into which he had introduced antimony, and never to have gone near the consulting-room at all. That was the natural course for the poisoner to pursue. The next question is whether the egg-flip was capable of producing the effects which are said to have been caused by it. It was barely possible, according to Dr. Littlejohn's opinion. Let us see the history of the egg-flip. Does it pass through any hands but his own and Mary Patterson's? It does pass through other hands than Mary Patterson's. It was left by Mary Patterson in the pantry, and Mary M'Leod came down for it to the kitchen. She was told that it was in the pantry, and she goes up to bring it down. There, again, you have Mary M'Leod intervening in the matter, notwithstanding the dilemma on which the Solicitor-General placed his case; and she it is who carries it up to the bedroom; and she it is who administers it to the patient who is suffering there. Mr. Clark

But there is another remarkable thing in this case. The amount of antimony introduced must have been a very powerful dose indeed; because, taking only a teaspoonful of it, as Mary Patterson did, she lay vomiting and suffering all night. It was stated that Mrs. Pritchard took a wine-glassful of the egg-flip, and she vomited for about half an hour or thereby afterwards. But surely if the strong woman took only a teaspoonful and the weak woman took a glassful, she would have been destroyed by the action of a poison which had so powerful an effect upon the servant girl. How is that to be explained? That is a matter which the Crown has not in any way cleared up at all, and I say there is no proof whatever that in any case the prisoner had put any poison in any food administered to his wife. The whole case stands upon mere probabilities—mere suggestions, that with opportunities and means in his possession he must have been the guilty party, and that no other person had the skill to do it. But I wish you also to notice that, instead of being worse after taking that egg-flip, as Mary M'Leod has said, Mrs. Pritchard was rather better, and therefore it is very inconceivable that there was anything in this egg-flip which caused Mary Patterson to suffer. It must have been from something else she took. She spoke to the prisoner of her illness, but did not mention the egg-flip in connection with that illness, and yet she tells that the moment she took it she noticed that it had a very bad taste. Then it is a curious thing that Doctors Maclagan and Littlejohn have stated that

Mr. Clark tartarised antimony is a comparatively tasteless substance. Mary Patterson, speaking of what she experienced when she took the egg-flip, says that the moment she put it to her mouth she felt a burning sensation, and said—"Oh, what a taste it has!"—not the burning sensation in her throat, which was afterwards spoken to—but when she put this substance to her lips. This must have been caused by some other substance, not antimony at all. The fact that she experienced a bad taste is inconsistent with the theory that there was any antimony there; but, be there antimony there or not, how you are able to reconcile those discrepancies I do not understand. Sufficient for me to say that there is no proof whatever that the prisoner's hand did put in the antimony. There is as much proof that it was put in by another, through whose hands every one of these articles had passed.

Gentlemen, I have now considered pretty nearly all the evidence which I think the Solicitor-General relied on, and with which it is necessary to detain you in this case. These are the only instances of poisoning on which the Solicitor-General proceeded, so far as I know, and therefore it would be idle for me to attempt to detain you by disproving circumstances upon which the Crown do not rely. Now, you will keep in view that this is a case where the Crown undertook to prove the administration of poison. It is not a case on which they can obtain a verdict, as I would again repeat, by probabilities, inferences, or presumptions. They have stated the case against the prisoner, and are bound to show by conclusive evidence, without any reasonable doubt, that the prisoner is guilty of the crime with which he is charged. It would have been desirable in a case of this kind that the Crown should have satisfied the burden of proof which is upon them by proving that on some one occasion the prisoner was detected in administering poisons. If the case was proved that the poison had been administered in the course of months in a house of which he was, no doubt, the head, but in which also there were other persons, how is it possible, if you are to accept the case for the Crown as conclusive of the prisoner's guilt, that throughout the investigation they have made into the history of that house during these months, they have not been able to trace one case of poisoning to the prisoner's hands? In every case where they have obtained evidence of there being poisoned food in the house Mary M'Leod is concerned. In the case of the tapioca it is impossible to conceive the prisoner concerned. In that of the cheese it is almost equally impossible and incredible. And yet, while I think the evidence frees him from suspicion as regards these cases—cases in which, according to the Crown, poison was put in Mrs. Pritchard's food—yet they concluded without a shadow of evidence that he was the foul poisoner

who, during these three months, protracted his wife's sufferings until she died in his arms on the 28th of March. Mr. Clark

Gentlemen, the case is utterly beyond belief. The Crown admitted their obligation to prove this case by the clearest possible evidence, and yet the elaborate speech of the Solicitor-General is reduced to this, that there were but two persons who could commit the crime—the prisoner and Mary M'Leod. Mary M'Leod's hand is found in connection with every one of these acts of administering poisoned food; and yet, without asking her whether she put anything into the food, the Crown asks you to believe that she was not guilty, and therefore that the prisoner was guilty. If one of two persons committed the crime, then most assuredly the burden rested upon the Crown to exclude one of these two from the possibility of having committed the offence, and they never can discharge that burden by the mere suggestion that it is unlikely that a girl of seventeen would commit that offence; because, though it may be unlikely, that improbability does not prove the case which they assert. Therefore, I ask you to consider the whole of the case upon the evidence as I have stated it to you, whether it is proved beyond reasonable doubt that the prisoner committed this crime; or whether, rather, to say the best of the case for the Crown, it is not a series of suspicions and probabilities upon which they entirely depend, and not legal proof which would satisfy your mind in consigning this prisoner to an ignominious death. Consider how that family lived; consider that he was the idol of Mrs. Taylor; consider that he lived on the most affectionate terms with his wife, although, if Mary M'Leod is to be believed, he was unfaithful to his marriage vows. His children, who were very capable of noticing all that was going on, proved this. The little boy stated they lived happily together. There is not a suggestion of there being any shadow between them, and yet, on the evidence of mere conjecture, such as the Crown founds upon, the prisoner is to be held guilty of a crime of unparalleled and hideous atrocity. The Solicitor-General spoke of his nerve. Well might he speak of his nerve if he was guilty of that deed. I cannot conceive of any person so hideously unfeeling; for during all her suffering he slept with his wife, and held her in his arms when she was enduring those tortures to which I have alluded. You will remember that, when her body was brought home to her father's house, at his own request the coffin was opened, and this foul murderer, if the story of the Crown be true, showed the body of his murdered wife to her relatives, and, kneeling down in the face of God, kissed for the last time those lips which his hand is said to have closed. A more cold-blooded, a more frightful, a more dreadful atrocity could not be supposed. It is impossible that the evidence of probability, upon which the whole case of the

Mr. Clark Crown hangs, can ever justify you in believing that he was capable of committing the crime, and of the hideous hypocrisy which he is said to have manifested. Suppose such a case—one would almost believe the thunderbolt of the Almighty would have stricken down the man who could have done it.

Gentlemen, I have done. I have asked a verdict of acquittal for the prisoner. In your hands alone are the issues of life and of death. On you, and you alone, is the responsibility of the verdict. I ask you to restore the prisoner by your verdict to his orphaned family and sorrowing relatives.

The Lord Justice-Clerk, addressing the jury, said—I put it to you, gentlemen, whether it is your desire that I should now proceed with my charge, or whether you prefer an adjournment till to-morrow morning. In order to enable you to form an opinion, it is right to state to you that I cannot promise to finish to-night. My examination of the evidence will extend over several hours, but whichever course is more agreeable to you, I shall be happy to adopt.

The jury, having intimated that they would prefer an adjournment,

The Court adjourned at half-past four o'clock.

Fifth Day—Friday, 7th July, 1865.

The Court met at ten o'clock.

The Lord Justice-Clerk's Charge to the Jury.

The Lord Justice-Clerk then proceeded to charge the jury as follows:—Gentlemen of the jury—The social and professional position occupied by the prisoner at the bar, the great atrocity of the crimes laid to his charge, and the singular means by which it is alleged he perpetrated these crimes, make this indeed an extraordinary and appalling charge. It would be a public calamity and a great scandal upon the administration of justice if, in such a case, the guilty should escape punishment. But let me remind you also, that it would be not the less a calamity that the verdict, which is to be followed by the sentence of death, should rest upon untrustworthy or imperfect evidence, or that any unsatisfactory foundation should be laid for such a verdict as you are called upon by the prosecutor to return. Lord Justice-Clerk

I am sure it must have been a great satisfaction to you, as it certainly was to me, to see this trial conducted throughout on both sides of the bar with such eminent ability, and at the same time in such good judgment, moderation, and good temper. Everything the legal profession could furnish for arriving at the ends of justice has certainly been performed by the learned gentlemen who have conducted this case. The responsibility henceforth rests with me and with you, and with you eminently; for it is your verdict that must determine whether the prisoner is guilty or innocent. My duty is to advise you in matters of law, and, at the same time, so far as I can, to aid your deliberations upon the evidence by digesting it for your use, and placing it in such a form as will enable you best to appreciate the several questions which you must consider and solve.

In order to enable you to return a verdict of guilty in regard to either of the two charges contained in this indictment, there are three things of which you must be satisfied upon the evidence. In the first place, that the deceased died by poison; in the second place, that the poison was wilfully administered, for the purpose of destroying life; and, in the third place, that it was the prisoner at the bar who so administered or

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caused it to be administered. If the evidence is defective in any one of these particulars, the prisoner is entitled to an acquittal; but if, on the other hand, you are satisfied of these three things, then there remains nothing for you but the stern and painful duty of conviction. We must consider the three different questions which are raised, therefore, separate from one another; and I proceed to call your attention, in the first place, to the evidence as to the cause of death in regard to both of the deceased ladies, for it is not my purpose in dealing with the evidence here to separate the two charges entirely from each other, simply because I think it impossible. I must consider them in combination, because in truth they form both necessary parts of one history.

As regards the death of Mrs. Pritchard, which, although it occurred after the other, was first made the subject of investigation and inquiry by the authorities, we have very clear and satisfactory evidence in the medical and chemical reports which you heard read in the course of the trial, and to the results of these reports, and the opinions of the gentlemen who framed them, I shall now shortly call your attention.

Mrs. Pritchard's body was subjected to a *post-mortem* examination very soon after her death by Dr. Maclagan and Dr. Littlejohn—two gentlemen, from their professional pursuits, eminently qualified for the conducting of such an inquiry. Both have devoted their time and attention to the study of medical jurisprudence. They made a very careful examination of the body, and particularly of the condition of all the vital organs, and in the details of their report there is not the slightest trace, as they themselves say, of any morbid action—no appearance of any disease, of anything at all to indicate how the patient came to die. They report that these bodies presented no appearance of recent morbid action beyond a slight amount of irritation of the alimentary canal, and nothing at all capable of accounting for death. They therefore proceed to say, "We have secured the alimentary canal and its contents, the heart and some of the blood, the liver, the spleen, the left kidney, and the urine, in order that they may be submitted to chemical analysis."

In taking that course, I need hardly tell you that these gentlemen did only what was their clear and obvious duty, and accordingly the portions of the different parts of the body, which had been thus secured for examination, were submitted to chemical examination and analysis by Dr. Maclagan, and another portion by Professor Penny, of Glasgow. These gentlemen again came substantially—one may almost say exactly—to the same conclusions; and, without entering into any of the details of the processes by means of which they attained these conclusions, I may merely say in passing that

The Lord Justice-Clerk (Inglis).
(From the Portrait by Sir Francis Grant.)

nothing has been shown to throw the slightest doubt upon the sufficiency of the chemical tests which they applied. Lord Justice-Clerk

Dr. Maclagan, in examining the urine of the deceased before entering upon any very careful and complete experiments, found that it yielded what appeared to be antimony, and that in considerable quantity; and he, therefore, applied himself chiefly in examining the other articles which he secured for consideration to the detection of that well-known poison in these articles. In the liver of Mrs. Pritchard he determined at least that the amount of antimony, in the shape apparently of what is called tartar emetic, was almost exactly four grains, and gave us further information regarding the total amount of the antimony contained in the contents of the intestines, which appears to me, in connection with what I can now say, of the greatest possible importance. He took a portion of the contents of the intestines and submitted that to a quantitative analysis, having already submitted other portions to a qualitative analysis, for the purpose of determining the nature of the poison; and that quantitative analysis enabled him to say what amount of antimony there was in the portion of the contents of the intestines which he so examined. Thus, having the proportion which that part of the contents of the intestines bore to the total contents of the intestines, he was able to arrive at the conclusion with perfect accuracy as to what amount of antimony there was in the total contents of the intestines; and that he determined to be very nearly six grains—that is to say, equal to six grains of tartar emetic.

In these two places alone, therefore—in the liver and in the contents of the intestines—you have found in this lady's body after death not less than ten grains of tartar emetic. In other parts, in the kidneys, the stomach (that is to say, the contents of the stomach), and the blood, there were other and more minute portions of the same mineral poison found.

But it is unnecessary to go into any details about this, because I am sure you must be satisfied from what I have already said, that the presence of ten grains of tartarised antimony, or tartar emetic as it is popularly called, in the intestines and liver of the deceased, was very sufficient to justify the conclusion which Dr. Maclagan came to, and which he thus expresses in his first report. [Reads concluding part of Dr. Maclagan's chemical report, in which he stated that he is satisfied that Mrs. Pritchard had taken a large quantity of antimony, sufficient to account for death, and that the administration of it had extended over a considerable period. With reference to the latter clause of the report, which was to the effect that no organic poison was found in the stomach or contents of the intestines, his lordship said]—That portion of his opinion is, you will see, altered by a subsequent experiment,

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the result of which he gave you, and which I have just read, regarding the large quantity that there must have been in the contents of the intestines.

Then you have Professor Penny's report, and he confined himself entirely to his duties as an analytical chemist, and expresses no medical opinion. [Reads the last portion of Dr. Penny's report, the fifth conclusion of which is as follows, "That the largest quantity of mercury was contained in the contents of the intestines next to the spleen and heart, and extremely minute traces in the blood and kidney."] You will recollect that that was perfectly accounted for without any suspicion of poisoning by mercury, in consequence of the administration of the powder which Dr. Paterson gave Mrs. Pritchard upon 2nd March.

That is the result of the *post-mortem* investigation, and it is for you to say whether or not you are satisfied upon the evidence that Mrs. Pritchard died of antimony—that she was poisoned by antimony, in the sense that by taking antimony she was deprived of life. I am not now speaking of the act of poisoning, but did she, by taking or having antimony administered to her, die of that poison? I do not think that it was attempted by the prisoner's counsel to resist this conclusion, and upon the evidence I fairly confess to you it is impossible to entertain any doubt.

Now, let us consider what is the similar evidence in the case of Mrs. Taylor. She died, you will recollect, on the 25th February, three or four weeks before her daughter. She was buried in the Grange Cemetery, Edinburgh; but, in consequence of the suspicions attaching to the death of Mrs. Pritchard, Mrs. Taylor's body also was disinterred, and subjected to a *post-mortem* examination, and the result of that is very similar to the result of the *post-mortem* examination of the other body. Dr. Maclagan and Dr. Littlejohn made their report on this subject on the 30th of March, and they very naturally, in consequence of the recorded causes of death—paralysis and apoplexy—devoted a great deal of their attention to the condition of the head and brain of the deceased, the result of which was there was not the slightest trace of anything like congestion, or any of those local affections of the brain likely to produce apoplexy, and so cause death. They examine also the other vital organs of this old lady, and they find them all in healthy condition, with this exception, that as regards the heart, it was somewhat enlarged. I shall read to you what they say of the organs of respiration and circulation. [Reads the parts of the report referred to.]

Now, it was explained in the evidence of these gentlemen that, although the old lady's heart was enlarged, and slightly dilated, there was nothing either to account for death, or

to be the cause of death. But there was undoubtedly this remark, that in consequence of the condition of the heart, she was a perilous subject. She was a person upon whom effects might be produced from slighter causes than upon a perfectly healthy subject; and you will be kind enough to bear that along with you in considering the other parts of the evidence to which we are come to by and by. In the other respects Mrs. Taylor was obviously a strong and healthy woman for her time of life, which was about seventy, and altogether the appearances presented upon the *post-mortem* examination again led these gentlemen to the same conclusions, that there was nothing to account for death, and therefore they took the course which they had done before in the case of Mrs. Pritchard. They secured for chemical examination and analysis the alimentary canal and its contents, the heart, and some of the blood, the liver, the spleen, the kidneys, the bladder, the uterus, and a portion of the brain; and these articles having been thereafter subjected to examination again partly by Dr. Maclagan, and partly by Professor Penny, of Glasgow, we have the results of their examination before us. Dr. Maclagan concludes his report thus. [Reads the conclusions arrived at by Dr. Maclagan.] Lord Justice-Clerk

Now, you will observe there are some differences between this report and that which was made on the examination of the contents of Mrs. Pritchard's body, because it would rather appear, from what was found upon chemical analysis in the case of Mrs. Taylor, that she had taken a dose of antimony very recently before her death, whereas, in the case of Mrs. Pritchard, a day or two might have intervened, according to the views of Dr. Maclagan, since any antimony had been received into the system. Professor Penny again states, as the result of his examination and analysis on portions of the liver, stomach, heart, kidney, rectum, blood, and contents of the intestines of Mrs. Taylor, "that all the articles subjected to analysis contained antimony. That the dried contents of the intestines contained the largest proportion of antimony; next, the liver and stomach; then the blood, and in less quantity, the heart, kidney, and rectum. That part of the antimony in the contents of the intestines is in a form soluble in water. That the kidney was the only article in which mercury was detected. That neither the stomach nor the contents of the intestines contained aconite or morphia in quantity sufficient to be detected by known chemical processes. That the articles subjected to analysis contained no other metallic poison than antimony and mercury."

Now, gentlemen, with regard to the case of Mrs. Taylor, it is not necessary to add that, according to what was observed of her symptoms by Dr. Paterson at the time of her death, and

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according to the evidence which you have had of the contents of a bottle that was found in her pocket, there may be a question whether she died, like her daughter, from the simple action of antimony, or whether she died from the combined influence of antimony and other poisons, the other poisons being opium and aconite. It is not necessary for the present purpose to go minutely into that part of the evidence to which I am now referring, but which I shall be obliged to call your attention to more particularly by and by for another purpose. It is sufficient for the present as regards that part of the case, to say that Mrs. Taylor died from the combined operation of opium, antimony and aconite. Of that there can be no doubt, and we are now considering wholly that question—whether the two deaths which are laid at the prisoner's door were in point of fact caused by poison.

That exhausts all I think it necessary to say upon what I have represented as the first question for your consideration, namely, whether the two deceased ladies, one or both of them, died by poison; and you will consider whether in the circumstances it is possible to resist these conclusions—First, that Mrs. Pritchard died from the action of antimony alone, administered in large quantities, as present in her body; and, second, that Mrs. Taylor died from the action of antimony, either alone or in combination with the vegetable poisons of aconite and opium.

The next question is, whether these poisons were administered to them by some person for the purpose of destroying life; and here there are various possibilities that naturally suggest themselves to inquiring minds, and which must all be passed in review before we can be quite certain whether we are reasoning safely and correctly or not. There may be accidents of various kinds; there may be suicidal acts; and in either of these cases, of course, there can be no guilt against any living person. It is indispensable, therefore, that in considering whether anybody is to be held responsible for the administration of these poisons, we shall entirely negative the idea of either accident or suicide.

Now, as regards the case of Mrs. Pritchard, it will, of course, occur to you that accident is utterly impossible, if the reports of Dr. Maclagan and Professor Penny are to be relied on, because there is not a single tittle of evidence to show that death was caused by one dose. It is not proved that there was any single dose administered to Mrs. Pritchard and taken by her, capable in itself of destroying life. On the contrary, the evidence goes to show that it was a long-continued administration of poison given in small doses, frequently repeated, that brought about the death of the lady. That cannot be questioned, so far as I can see. Ingenuity might suggest that if a person were persuaded that some large quantity of this poison was really

something else than it was, and had continued for a month or two to use it as if it was something proper to be put in ordinary articles of food—had mistaken the white powder of tartar emetic for pounded sugar, or for salt, and had consequently used it in her food, that was an accident which might have accounted for death. It is possible; but then we search the evidence in vain for the slightest trace of any such mistake. It is not reasonable, and I suggest it only for your consideration, because I desire you to be most scrupulous at every step of this inquiry to satisfy your minds as you go along whether there is anywhere—and if there be anywhere, where it is—a defect in the evidence which I am now reviewing. If you can receive such a supposition as that—unsupported by any evidence—good and well. Lord Justice-Clerk

Then, gentlemen, as to suicide—suicide by slow poisoning is, I rather suppose, unheard of. A person who desires to destroy his own life generally selects the speediest and least painful mode of doing so; and even although, in that respect, there may be great varieties in different cases, I certainly never heard it suggested that suicide was committed by a person taking poison with his own hand continuously over a period of weeks or months. Add to all this that there is nothing in the history of this lady, Mrs. Pritchard, to indicate any such state of mind, any such morbid condition either of mind or body, as would suggest the idea of suicide, and I think we arrive pretty safely at the conclusion that neither by accident of any ordinary kind, nor by suicide, could the death of Mrs. Pritchard from poison be accounted for.

The position of the prisoner suggested one species of accident, which is possible in some cases, namely, unskilful treatment. Unskilful treatment in the administration of a strong and dangerous drug intended as medicine may sometimes produce death, and that would be accidental poisoning; and if the case of the prisoner had been that he was treating his wife with antimony, and had unconsciously or accidentally given her too much, and so produced death, that would have been a case very well worthy of your consideration. But it is entirely excluded by the position which the prisoner himself has taken up in his declaration. [The Lord Justice-Clerk then read the portion of the declaration of the prisoner, in which he stated that during the whole course of her illness he had never given Mrs. Pritchard antimony, nor any preparation of it; that he had it in stock, but only used it externally for her neck, and that he had some years ago treated her with it for inflammation of the eyelids; that he kept considerable quantities of it in a press, which was not always locked.] I need hardly state that the external application of antimony to the deceased's neck in October, and the use of it in moderate quantities years ago,

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had nothing to do with the appearances presented by the chemical examination of the intestines and other organs of Mrs. Pritchard.

Then, gentlemen, if it be clear that Mrs. Pritchard died from poisoning by antimony, and if the evidence excludes the possibility of either accident or suicide, it seems impossible to resist this conclusion, which answers the second question I submitted for your consideration, that the poison must have been administered by some one for the purpose of destroying her life.

Now, with regard to Mrs. Taylor again, in reference to this second question, the case stands in a somewhat different position. There is a very considerable portion of antimony found in her also—not to the same extent as in Mrs. Pritchard, still quite a sufficient quantity of antimony to account for her death. Dr. Maclagan and Professor Penny were quite clear upon that, when they made their first examination of the intestines and other organs subjected to their analysis.

But then there again comes that other part of the evidence to which I have already slightly adverted, I mean the symptoms exhibited by Mrs. Taylor at the time of her death, and the circumstances connected with the finding of the bottle in her pocket. It is suggested on both sides—and it must be obvious to you that it is quite a reasonable suggestion—that shortly before Mrs. Taylor's death she had drunk some part of the contents of the bottle which was found in her pocket. The contents of that bottle have been analysed. It is clear, from the evidence, that the bottle which was subjected to the examination of Professor Penny was the same bottle as that found in the pocket of Mrs. Taylor. The steps of the evidence I will state to you very shortly, without reading the depositions of the witnesses. The two women who dressed the body, and took off the clothes of the deceased after death, Mary Patterson and Jessie Nabb, found the bottle in her pocket about half-full of a brown liquid. They put it aside for the time. The prisoner soon afterwards came into the room, and said he had been informed about that bottle, and desired to have it. He got the bottle, and took it away with him. I am not now speaking of the manner in which he conducted himself on that occasion; we shall consider that by and by in the third branch of this inquiry. He took the bottle away with him, and it was afterwards found in the same chest of drawers which had stood in Mrs. Taylor's room. That chest of drawers had in the meantime been removed out into the lobby. It was afterwards found in one of these drawers, and from that place it was taken and delivered to the police officers, who gave it to Professor Penny. Beyond all question it would in such cases as this be more satisfactory, if it were possible to prove

the utter impossibility of any change in the state of the contents of such a bottle, and to exclude the possibility of any doubt as to the identity of the bottle. You must, however, take the evidence just as the circumstances of the case produce it. It cannot be made any better than the circumstances of the case allow; and it is for you to say whether you are reasonably satisfied that the bottle and the contents of the bottle which was found in Mrs. Taylor's pocket after her death reached the hands of Professor Penny in the same condition.

If so, then observe what is the result. The bottle contains Battley's Solution of Opium, which is a strong narcotic, which a person unaccustomed to the use of opium could not take much of without very serious consequences. But I need hardly tell you that the quantity of opium or laudanum which any person is able to take depends entirely upon habit; and we have it in evidence that Mrs. Taylor was in the habit of taking this medicine for a number of years; and the quantity she was in the way of taking had gradually, but very largely increased. One of the witnesses, who acted as her messenger frequently, told you he was accustomed to get her bottle filled, and it used to be about once in two or three months when he was first employed by her, but that increased till it came to once in two or three weeks, so that it is quite obvious that the habit of taking opium was growing upon Mrs. Taylor, as it almost invariably does in all such cases; and at the time of her death she was in a condition to take with perfect impunity a quantity of opium that would have poisoned any person not accustomed to it.

Now, she had taken some of the contents of this bottle, and it was suggested that she had taken a very large quantity of the contents from the time it had been got in on Monday, down to her death. I think it was said by the prisoner's counsel, from calculations he had made, that she must have taken 150 drops a day. I have not followed out the calculations, but it is not in the least degree impossible that a person who had been in the habit of taking opium for years would take 150 drops without the slightest effect, further than the confirming and carrying on of a very bad habit.

Now, that being the state of matters, let us consider, in the next place, what else there was in this bottle. There is a considerable admixture of antimony, a poison which is detected in the body of Mrs. Taylor and detected in quantities sufficient to produce death. There is also in the bottle another poison of a more subtle kind, and one less easily detected—aconite—a vegetable poison, which cannot be discovered by the same tests as the mineral poison of antimony. But the skill of Dr. Penny discovered the presence of aconite in that bottle, and enabled him to say that not only was there some aconite there,

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but also determine with quite sufficient precision for the purposes of this case what proportion the tincture of aconite bore to the other contents of the bottle. By a series of experiments, which were conducted with great skill and care, he arrives at the conclusion that the proportion of aconite in the whole of the contents of the bottle must have been under ten per cent., but above five. Now, if anybody took a hundred drops of that mixture, that person must inevitably have swallowed more than five drops of tincture of aconite. The conclusion, therefore, that one is almost forced to arrive at in regard to Mrs. Taylor is, that her death was brought about by the combined action of three poisons—aconite, antimony, and opium; but the opium, probably, not in such quantities as to cause death, although it might have been a powerful agent in combination with other poisons—even to a person accustomed to take opium.

The question, then, for your consideration upon the second point is this—whether, taking all the facts into view, you can arrive at the conclusion that the poison from which Mrs. Taylor died was given to her by the hand of some other person, and was administered to her for the purpose of destroying life.

Here, again, as in the case of Mrs. Pritchard, you must endeavour to consider whether you can exclude the question of accident or suicide. I need not dwell upon that, as I have done before. It is sufficient to observe, in the case of Mrs. Taylor, that, whether she died though the influence of antimony administered in several doses, as the chemical reports clearly bear out, or whether her death was brought about immediately through swallowing some of the contents of bottle No. 85, it is very difficult to understand how her death could be brought about by accident. I have said enough about continuous administration of antimony as being inconsistent with the notion of accident, and I need not repeat that; but do you think it was by accident that tartar emetic and tincture of aconite found their way into her Battley's Solution? It was proved to have been bought from the apothecary on the Monday of that week in the ordinary way, from a part of a stock which the apothecary had in his possession for a very considerable period, and sold to all and sundry. It was shown to have come from a wholesale London dealer, who got it from the maker, and the maker himself was brought to prove that antimony and aconite are substances altogether foreign to the medicine. Was it, then, by accident that these two subtle poisons found their way into this lady's medicine bottle, or, if it was not by accident, did she put it there herself, or had she any knowledge of such things to enable her, if she were willing, so to poison herself by apparently using her own medicine? There is no appearance of that, and the character and conduct of the old woman, her natural condition both of body and mind, as you heard it

described by the witnesses, is such as not to suggest the idea of suicide in her case as a possibility at all. Lord Justice-Clerk

Consider, then, gentlemen, with reference to both of the deaths—that of Mrs. Pritchard in the first place, and that of Mrs. Taylor in the second—whether you can arrive at the conclusion, or whether you can resist the conclusion, that the poison by means of which they were deprived of life was wilfully given to them for the very purpose of destroying life.

And that brings me to a consideration of the third and only remaining question, but a question of vital interest in this case—was that poison administered, or procured to be administered, to either or both of these deceased ladies by the prisoner at the bar? This must be decided by entering into a careful and minute investigation of the evidence in the case; and you have paid such close attention to the evidence in all its details as it was laid before you that in any ordinary case I confess I should have been inclined to shorten this part of your labour and mine; but I rather think that you will sympathise with me in the feeling that I cannot, for the sake of mere brevity, or for the purpose of saving your time or trouble, omit any one particular that appears to me to be important for your consideration.

The time over which this history runs is but short. It commences in the month of November, or perhaps rather more properly about the commencement of this year, and it terminates with the death of Mrs. Pritchard upon the 18th March. The scene of the double tragedy is equally contracted. It is all confined within the four walls of the dwelling-house in Sauchiehall Street; for from that house, so far as I can see, Mrs. Pritchard never removed from the time that she returned from Edinburgh a little before Christmas until her death; and from the time that Mrs. Taylor came on the 10th February until her death on the 25th of the same month she was in constant attendance on her daughter. The other persons in the house were, during the earlier part of the period and prior to the 16th February, Catherine Lattimer, Mary M'Leod, the children, and two more, besides the prisoner and his wife. After the 16th there is this alteration, that Catherine Lattimer goes away, and is succeeded by Mary Patterson. And then on the 10th February, six days before Catherine Lattimer went away, Mrs. Taylor came.

Now, keeping these facts in view, let us attend to some of the prominent occurrences during this period; and I think here, as in other cases, it conduces to clearness to take events precisely in the order of time. You will recollect that Mrs. Pritchard went to visit her friends in Edinburgh in the month of November—the precise date is not fixed. She had been ailing before that time, and, according to the account of

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Catherine Lattimer, her ailment was just of that description which afterwards increased in intensity, and accompanied her down to her last moments. It was sickness and depression, vomiting and purging. She got better while she was in Edinburgh; but she returned a few days before Christmas, towards the end of December; and after that she got gradually worse. There was a return of the sickness and depression, and the vomiting and purging seemed to be more violent.

On the 1st of February there was a severe and alarming attack—so much so that Catherine Lattimer, who was to have left the prisoner's service next day—Candlemas Day—was obliged to remain, in order to make herself useful to Mrs. Pritchard. Now, I wish to call your attention to Catherine Lattimer's account of this attack on the 1st February. I think that is the first event of particular importance in the history of these last two months—February and March. [Reads evidence of Catherine Lattimer as to the attack which Mrs. Pritchard had suffered on the 1st February, and in the course of which, after she had gone to her bedroom, cramp had seized her, and she was afflicted with sickness and vomiting. It appeared from this evidence that Mrs. Pritchard had said to the witness that she was generally sick after slops and after tea.] Having read this evidence, his lordship proceeded—Now, gentlemen, that was the first very serious and violent attack which Mrs. Pritchard had, and we may be sure that it was such as Catherine Lattimer described it, for she has apparently been very accurate and judicious in her observations. She appears to have observed everything minutely, and gave her evidence in such a way as to command respect.

If the facts spoken to by her be true, we then come to inquire of the medical gentlemen, whose opinions we have before us, whether these symptoms are or are not reconcilable with the opinions which they formed upon the most careful and minute chemical examination, and they say they correspond exactly—that they are just the symptoms they would expect from a person to whom antimony was being administered.

Now, in the course of the week Dr. Cowan makes his appearance upon the scene. He comes on the 7th and visits Mrs. Pritchard, converses with her, sees that she is very unwell, and makes some little suggestions as to the way in which she should be treated, which are not very material to the question into which we have at this stage to inquire. He remains there till next day, leaving upon the 8th, and during the time that he was there Mrs. Pritchard had no serious attack of any kind; but, strangely enough, a second attack, and a serious one, does come on the evening after he left—the 8th. You have the description of that attack by Catherine Lattimer again; and you have also, as applicable to that, the evidence of Dr. Gairdner—

the first appearance of any medical man upon the scene other than the prisoner himself. Lord Justice-Clerk

Now, attend, if you please, to what these two witnesses say about this attack on the evening of the 8th. Catherine Lattimer had made a little mistake about the dates of these two attacks, which she set right when she came to describe the second attack, and which was set right by Dr. Gairdner, who, as a medical man, preserved a note of the case, and kept it with perfect precision; and, as that is the case, there can be no doubt about the time that Catherine Lattimer is speaking of as the second attack. [The Lord Justice-Clerk then read over a portion of Catherine Lattimer's evidence, in which she described the second attack which she saw Mrs. Pritchard suffer, when she went to her bedroom and found her in great pain, and was asked to send out Mary M'Leod for Dr. Gairdner, and when Mrs. Pritchard called her husband a hypocrite.]

Now, as regards that episode I confess I do not attach much importance to it, because it was perfectly plain that Mrs. Pritchard was not in her right senses at the time. This was made quite plain, I think, by the testimony of Dr. Gairdner; but I mention it because at the time when the evidence was given it did appear of some importance, though afterwards it was deprived of that character by the evidence of Dr. Gairdner, and therefore no importance is to be attached to anything Mrs. Pritchard said at the time. [The Lord Justice-Clerk read further from Catherine Lattimer's evidence as to the weak and exhausted condition of Mrs. Pritchard after the attack.]

Then we have Dr. Gairdner's evidence upon the same occurrence, who was sent for by Mary M'Leod, acting under direct instructions from Mrs. Pritchard. [The Lord Justice-Clerk read from Dr. Gairdner's evidence as to the state of Mrs. Pritchard when he visited her, who found her in an excited and hysterical condition, which led him to suppose that she was drunk, and when he ordered the use of stimulants to be stopped.] Dr. Gairdner, however, said that there was no fever in the case at all, and that is undoubtedly quite consistent with all the other medical evidence. Yet it is a very remarkable circumstance that throughout, whenever the prisoner had occasion to explain to anybody what he thought was the matter with his wife, he called it gastric fever. The prisoner's counsel says "that any man might be mistaken about that—the most skilful might be mistaken in such a case as hers, and Dr. Gairdner himself was quite puzzled." And well he might be if it be the fact, as I suppose you have assumed it to be, that the lady was at that moment under the influence of the metallic poison of antimony. No doctor could guess at that, and therefore there was good reason for his being puzzled. But he was

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not so puzzled as to believe that she was under fever when he found all the symptoms indicating the very reverse, nor could any medical man be so puzzled as to fall into that mistake.

But it is remarkable that there was no appearance of fever even upon the occasion of Dr. Gairdner's visit, because, if at any time, then was the time to expect indications of fever, when apparently she had received stimulants to a considerable amount—whether it was champagne, chloroform, or both. And by whose directions had these been administered? The prisoner told Dr. Gairdner it was by the direction of Dr. Cowan. Now, it is important to see what Dr. Cowan says in regard to that. He does say something about champagne, and you will judge for yourselves whether what was suggested by Dr. Cowan was likely to have led to such treatment as to put Mrs. Pritchard in a condition to justify the opinion of Dr. Gairdner that she was in a state of intoxication. [Reads a portion of Dr. Cowan's evidence as to the state of prostration in which he found Mrs. Pritchard, and his recommending that she take small quantities of champagne and ice.] That was his recommendation, and it was the only thing that he said upon the subject of stimulants at all, as far as his evidence goes. Now, gentlemen, that is the second scene which is presented for your consideration. That, you observe, is on the evening of the 8th March and the morning of the 9th.

The next important event is the arrival of Mrs. Taylor on the 10th. We will not pause upon that, because, at the time of Mrs. Taylor's arrival, we have already had a very good account of the condition of Mrs. Pritchard from the evidence of Catherine Lattimer. She was gradually recovering from the severe attack which she had had upon the evening of the 8th and the morning of the 9th. But after Mrs. Taylor arrived there is an episode in the case, which has been dwelt on as of very great importance on both sides of the bar, and which, I think, does deserve your most serious consideration.

On the 13th February it was suggested by Mrs. Pritchard, or somebody else, that she should have some tapioca, and that is got from the shop of Messrs. Burton & Henderson. Now, the tapioca is said to have been poisoned by an admixture of antimony. You have seen that some of it was taken by Mrs. Taylor, who immediately after, in consequence, was taken ill. Now, as to the evidence of Catherine Lattimer on this point. [Reads that portion of Catherine Lattimer's evidence in which she stated that she prepared the tapioca for Mrs. Pritchard a few days after Mrs. Taylor came, and that Mary M'Leod brought the order to her. The tapioca was in a paper bag, and witness did not notice whether it had been opened. She made half a breakfast-cupful, and Mary M'Leod took it into the dining-room. Witness did not put any sugar or anything else

into it. On returning to Glasgow she found the remains of the tapioca in the press, and gave it to the procurator-fiscal. The tapioca was brought to her by Mary M'Leod. There was just one making of the tapioca while she was there.] Lord Justice-Clerk

Then, in the next place, let us see what Mary M'Leod says about it. She says that "the tapioca was bought from Burton & Henderson by the prisoner's son Kenneth. He gave it to me. It was either a pound or half a pound. I laid it on the lobby table, but it did not lie there long, not an hour, before it was taken down to Catherine Lattimer. Mrs. Taylor took it down," and I think that is all she says about it. Mary M'Leod took it up, and then it was proved that Mrs. Taylor had some portion of it. Whether Mrs. Pritchard had or had not does not appear, but Mrs. Taylor afterwards was sick and vomited, and said she thought she was getting the same complaint as her daughter.

Now, gentlemen, the tapioca, you will observe, was bought from a grocer, and was proved to be part of a store of tapioca which the grocer had, and it was proved to be perfectly free from antimony, and no complaint was made of it by any of the other customers. It was brought to the house by the little boy, given to Mary M'Leod, prepared by Catherine Lattimer, and taken upstairs by Mary M'Leod, and the consequences were such as I have related to you. Now, the remainder of the tapioca—that which was not cooked by Catherine Lattimer—was put by her into the kitchen press, and Mary M'Leod mentions in her evidence having found it in the kitchen press. Catherine Lattimer was brought back for the purpose of saying whether it was there she put it, and she said it was. That tapioca was handed over to Professor Penny for examination. Now, see what he says about it in his report. He says this paper package contains 2850 grains of tapioca. The presence of antimony in the form of tartarised antimony was unequivocally detected. Its amount was found to be equal to four grains and sixty-two parts of a grain in the pound of tapioca.

Now, here unquestionably was a parcel of tapioca out of which a preparation had been made for Mrs. Pritchard's consumption, which had introduced into it antimony in the proportion of about four and a half grains per pound; and, consequently, it is not surprising that Mrs. Taylor, after partaking of some of it, was taken unwell with sickness and vomiting; and, having seen the symptoms of her daughter's illness, said, "I am afraid I am going to have the same complaint as my daughter."

Still, gentlemen, it is not very easy to see what opportunities the prisoner had of mixing this antimony which is found in the tapioca. It is not proved, as a matter of absolute fact, that he was in the house at the time when this tapioca was brought in; still less is it proved that the tapioca was in his

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hands. It was left on the lobby table for some time, Mary M'Leod could not say for what time—"not so much as an hour"; but more precise than that she could not be. And, therefore, there is certainly no direct contact between the prisoner and this parcel of tapioca, which undoubtedly was poisoned, and which produced the symptoms upon Mrs. Taylor that might have been expected from the action of the antimony which was in it.

This was upon the 13th, and upon the 16th there was a change of servants. Catherine Lattimer went away, and Mary Patterson came in her place, and from that time onwards you have a description by Mary Patterson of what she saw of the illness of Mrs. Pritchard, the details of which, I think, I may dispense with reading, because they correspond with what has been already brought under your notice in the evidence of Catherine Lattimer, and, so far as I have read it, of Mary M'Leod. But I may in the meantime abstain from referring much to the evidence of Mary M'Leod. From the 13th to the 25th February—a period of twelve days—there is no occurrence of any very remarkable kind to which I think it necessary to call special attention.

I therefore now go on to the period which is marked by the death of Mrs. Taylor. She was taken ill, as you are aware, upon the evening of the 24th; and here we have the evidence of Mary Patterson, a very reliable and good witness, according to my estimate of her; but you will judge for yourselves how far that opinion is justified by what you saw. [Reads evidence of Mary Patterson—her account of the first time she saw Mrs. Pritchard on the night of her mother's death, and also her account of the events which occurred in connection with the death of Mrs. Taylor.] Now, in like manner, Mary M'Leod gave her account of the matter. [Reads Mary M'Leod's evidence on this point.] You will recollect that Jessie Nabb, the woman that was sent for, as Mary Patterson tells us, for the purpose of dressing and stretching the body of Mrs. Taylor, gave almost the same account as she does of what took place between them and the prisoner when he came into the room after Mrs. Taylor's death, and after the finding of the bottle.

To that scene I beg now to call your attention, as it is given by Mary Patterson. She says—"When the bottle was found he expressed great surprise that she should have taken so much of its contents within so short a time." Now, he was quite aware, as you will see from the evidence, that the old lady was in the habit of taking a great quantity; and you will consider whether the surprise was real or feigned. That is but a very small point, however, in reference to this matter. His expression in regard to it seemed to me to be much more strange. He expressed surprise at her having sent "a girl like

that for it"—that is to say, sent Mary M'Leod—to the apothecary for a bottle of Battley's Solution. I cannot see that there is anything so very startling in that. Did he mean to suggest that, in consequence of such a messenger being sent for it, there might be some mistake as to the contents of the bottle? Why, what was it? "To send a girl like that for it"—what was the harm of sending the girl—an intelligent servant girl? What was wanted was Battley's Solution, because it was what Mrs. Taylor wanted—what she was accustomed to take. But still he thought that was a very serious matter. And he thought, further, that it was one of those things that it would not do to have spoken of as having occurred in his house—a man of his profession. You will consider what is the true bearing and import of all these statements of the prisoner. He then says further to these women that Dr. Paterson, when he had been there before Mrs. Taylor's death, had pronounced that she was paralysed upon the left side. That is not so. Dr. Paterson had never said that. Lord Justice-Clerk

But is it not strange that he should have made that false statement to these two women, when you come to consider what is the cause of death which he assigned in the case of Mrs. Taylor in his report to the registrar? He was the medical attendant of Mrs. Taylor. He must have known perfectly well that he was the person who must make the report to the registrar. He sent the old gentleman, Mr. Michael Taylor, to Dr. Paterson to ask him for a certificate, which he could hardly expect Dr. Paterson to give. I do not suppose any medical man who had been called in in the way Dr. Paterson was would ever have dreamt of giving in a report in the way Dr. Paterson was asked to do, with a medical man resident in the house and constantly in attendance upon the patient. And, consequently, the prisoner must necessarily have known that he himself would have to make the return; and what return did he make? He made a return to this effect—"That the primary disease of which she died was paralysis, and that that paralysis had been in operation for twelve hours before her death."

But, as you know from the evidence, that was absolutely false. She was down taking her tea at seven o'clock—nothing the matter with her—down in the kitchen visiting Mary Patterson, who saw nothing peculiar in her, except, as she said, that she was "a little peevish," which she ascribed to the fatigue which the old lady had to undergo in watching her daughter. At nine o'clock she is seen walking upstairs, nothing the matter with her, and in the course of the evening she calls to one of the servant girls, "Go out and bring in sausages for supper"; and that woman is represented in the report to the registrar as having been paralysed during the whole of that day. Further, the secondary disease, the disease which immediately preceded

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death, according to the prisoner's report, was apoplexy, and that had lasted for an hour; but now we have it demonstrated upon the medical evidence that there was not a trace of apoplexy in the case.

But it is said the prisoner might have been mistaken about apoplexy. It is very odd that he should be always mistaken about such subjects. And, further, with regard to the paralysis, as to that he could not be mistaken. It is said that he ascribed this as the cause, out of a feeling of kindness towards Mr. Michael Taylor; he did not like to let it be known to poor old Mr. Taylor that his wife had died of an overdose of her favourite medicine; and, therefore, he falsified a public record by inserting therein as a fact circumstantially stated, twelve hours of paralysis, which he knew was an absolute falsehood. These are strange facts.

Mrs. Taylor's body is removed, carried to Edinburgh, and there interred. I need not say more at present about the circumstances attending the death and burial of Mrs. Taylor; but I will have to refer again to them for another purpose. I pass on in the meantime to consider the evidence applicable to the period between the death of Mrs. Taylor and the death of Mrs. Pritchard—between the 25th February and the 18th March, a period of little more than three weeks.

I ought to have read to you, but omitted it at the proper time, a statement of Dr. Paterson's about what he saw of Mrs. Taylor; but I shall advert to the circumstance at another time, and therefore I need not go back to it at present. But Dr. Paterson had not only seen Mrs. Taylor upon the evening of the 24th February; he had also seen Mrs. Pritchard, and for the first time. He had formed an impression of a very peculiar kind regarding Mrs. Pritchard, which he stated to you in the box, and, when he visited her again on the 2nd of March, that impression was confirmed.

Now, there have been a good many observations of an unfavourable kind made with regard to the conduct of Dr. Paterson, and I do not think I should be doing justice to the case or to you if I did not advert to them. It is said that Dr. Paterson formed a very strong impression at the time he saw Mrs. Pritchard, on the 24th of February and the 2nd of March, that she was being foully treated, or, in other words, that she was in the course of being poisoned, and that, having formed that impression, he came into the witness-box with a strong feeling against the prisoner, and that he exhibited that feeling in a very marked way.

Now, gentlemen, if he formed the opinion that Mrs. Pritchard was being poisoned on the 24th of February and the 2nd of March, by the hands of her husband as her medical attendant, you cannot be surprised that he should come here as a witness

with a strong feeling against the prisoner. No human being could feel otherwise if he had formed such an impression. To be sure, it is said that he exhibited that feeling in a very marked and unpleasant way in the box. That is a matter of manner, and, if the feeling existed, I do not know that it could have made his evidence more valuable if he had concealed its existence. It may be an unpleasant thing to see what is called an animus in a witness exhibited in the witness-box, but a man who has a feeling very strongly upon him, and that on good grounds, may come into the box and entirely suppress all appearance of it, and give his story as calmly and deliberately as if he had no feeling at all. It is only because he has more command of his feeling, or a better manner of concealing it. The fact remains, that if he takes up the position which I have described, he cannot, as a man of ordinary feeling, be otherwise than unfavourably prepossessed against the prisoner. So far, I confess, the observations made upon Dr. Paterson's appearance in the box did not seem of great weight. Lord Justice-Clerk

But there is another matter which stands in a somewhat different position—the conduct of Dr. Paterson when he formed this opinion on the 24th of February and the 2nd of March. He said, in answer to a question I put to him, that his meaning was—what he intended to state in the box was—that he was under the decided impression, when he saw Mrs. Pritchard on these occasions, that somebody was practising upon her with poison. He thought it consistent with his professional duty, and I must also add, with his duty as a citizen, to keep that opinion to himself. In that I cannot say that I concur, and I should be very sorry to lead you to think so. I care not for professional etiquette or professional rule. There is a rule of life and a consideration that is far higher than these—and that is, the duty that every right-minded man owes to his neighbour, to prevent the destruction of human life in this world, and in that duty I cannot but say Dr. Paterson failed.

Now, gentlemen, you will consider what effect that is to have, or whether it is to have any effect, upon your minds in estimating his evidence. It is a delicate subject—a subject which I would fain avoid—but the exigencies of this case drive me to its consideration—and I am bound to say that, because a man is so mistaken in regard to his duty to fellow-citizens and his fellow-creatures as to act in the way in which he then did, it does not by any means follow that he is a man undeserving of credit as a witness. You may consider his evidence always in the light of that failing, and if you see reason to modify anything that he says because of the existence of that failing, it is your bounden duty to do so. But it does not by any means follow, I repeat, that because a man has acted in

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what we must consider to be an improper manner, and has disregarded what was undoubtedly a public duty, that he is therefore going to speak what is not the truth when he comes to give his evidence in Court.

Now, with these observations, I proceed to call your attention to the evidence of Dr. Paterson. It is extremely important evidence in this case. If it had not been so I would not have felt it to be so imperatively my duty to make the observations I have done. The evidence stated that he was sent for to see Mrs. Taylor on the evening of the 24th between ten and eleven o'clock at night, that Dr. Pritchard met him in the lobby and took him into the consulting-room, and told him that his mother-in-law, while writing a letter, had taken suddenly ill and fallen off her chair about half an hour before, and that she had been carried upstairs. Now, the moment this medical man comes into the house his mind is prepared by the prisoner for seeing a case of sudden death from apoplexy, or some similar cause; but the whole of the story, as you know, of the falling off her chair and being carried upstairs is an absolute fabrication, because we have it clear upon the evidence of others that she was perfectly well until she went upstairs, and that she walked upstairs at nine o'clock, and that it was in her daughter's bedroom she was taken ill. [Reads Dr. Paterson's evidence with respect to his asking Dr. Pritchard whether he could assign any reason for the illness. Dr. Pritchard said his mother-in-law and Mrs. Pritchard had been drinking bitter beer for supper, and were immediately taken sick and vomited. Dr. Paterson said there must be some other cause than that, and asked him as to the old lady's present health and social habits, when Dr. Pritchard, by insinuation, gave him to understand that she was in the habit of drinking spirits occasionally. He told him also that his wife had been ill for a long time with gastric fever, and that some days previously he had telegraphed for her mother to come and attend her.]

I will not describe to you the evidence which Dr. Paterson gives as to the appearance of Mrs. Taylor, for we have already concluded that part of the case which relates to her death; but, with regard to Mrs. Pritchard's appearance on that occasion, I am particularly anxious that you should attend to this. Dr. Paterson stated that, in the bedroom, he was very much struck with the appearance of Mrs. Pritchard. She seemed exceedingly weak and excited. Her features were sharp and thin, and a hectic flush was on her cheek. Voice very weak, particularly like the voice of a person approaching the collapsed stage of cholera. The expression of her face was semi-imbecile. He supposed at first this was produced by recent gastric fever, of which he had been told by the prisoner, but he (Dr. Paterson)

could not banish the conviction that she was under the depressing influence of antimony. Lord Justice-Clerk

Now, that is all that he says as to the impression he received with regard to Mrs. Pritchard on the occasion of his first visit on 24th February. But then he visits her again on the 2nd March, by the prisoner's desire, and I shall read you his description of that visit. [Reads extracts, showing that Dr. Paterson's conviction that Mrs. Pritchard was suffering from the action of antimony had been confirmed by his subsequent visit to her.] His lordship then continued—These were the first marked events in the interval between the deaths of Mrs. Taylor and Mrs. Pritchard.

There are other two very important circumstances which also naturally take their place in the interval—the one is the matter of the cheese, and the other is the matter of the egg-flip. [His lordship read the evidence of Mary Patterson and Mary M'Leod, giving the story of the bit of cheese, and, after concluding the evidence of Mary M'Leod, he said]—That is not a satisfactory piece of evidence, you will see, gentlemen, from the variations that occur in the course of it; but it is obviously the time that is spoken to by the other witness, Mary Patterson, because that is the night that they both speak of as the night that Mrs. Pritchard had the cheese for her supper.

Now, with regard again to the egg-flip, Mary Patterson gives this account, and this episode of the egg-flip occurs just the next day, the 15th. [Reads Mary Patterson's evidence relating to the egg-flip.] Now, Mary M'Leod's evidence confirms this to the extent that when Mary Patterson tasted the egg-flip she did say it had a bad taste, or words to that effect; and also when Mary M'Leod came down at four o'clock Patterson told her how ill she had been. The egg-flip was carried upstairs by Mary M'Leod; and that Mrs. Pritchard took some of it, and having taken it had become very ill in consequence of it, or after it—I shall not say in consequence of it—is sufficiently demonstrated by the fact that Mary M'Leod was obliged to remain with her till four o'clock in the morning.

Now, gentlemen, with regard to these two matters of the cheese and the egg-flip, there has been a good deal of comment offered to you on the part of the prisoner. It is said to be very difficult that cheese could be poisoned with antimony—that it would be very difficult to make a powder like tartar emetic adhere to a piece of cheese in sufficient quantity to have any effect, and that, if it did, it must have been visible to the naked eye, because the cheese was yellow and the tartar emetic was white. But we know from the evidence before us that tartar emetic was very easily dissolved, and obviously the cheese could have been poisoned by dipping it into a solution quite as easily as dipping it into a powder. With regard to

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the flip, again, it is said that if the sickness with which Mary Patterson was visited in the course of the night was so dreadful as she had represented it to be by merely taking a teaspoonful of the egg-flip, the half wine-glassful which Mrs. Pritchard took ought to have absolutely killed her. It is difficult, gentlemen, to answer a statement like that. It is impossible to say what is the precise point at which a poison of this kind will kill—what is the precise amount which will at once destroy life as compared with that which will only inflict suffering and torture. But that Mary Patterson did suffer these severe vomitings and pains immediately after having tasted this egg-flip, I think you will not be disposed to disbelieve, looking to the general character of the evidence which she gave here as a witness.

Now, gentlemen, these are important incidents in this story, occurring particularly, as they do, in the course of the week in which Mrs. Pritchard died—one of them on the evening of the 13th of March, and the other on the evening of the 15th. The first must have been on the 13th if it is the case that it was on the morning of the 14th that Mary Patterson found the cheese in the pantry.

And now we come to the last scene of this tragedy, the death of Mrs. Pritchard herself, which occurred, as you will recollect, early on the morning of the 18th March. I give you the account of the scene from the evidence of Mary Patterson, because I think you will agree with me that she is the safest witness to trust to in the circumstances. [Reads from the evidence of Mary Patterson, in which she stated that about twelve o'clock on the 17th Mrs. Pritchard's bell rang three times, and she (Mary Patterson) went up at the third ringing. She went first to the prisoner's consulting-room, being uncertain as to which bell had rung. The door was partly open, but it would not open further, although she pushed it. She then left to go upstairs, and the prisoner then came to the door and asked her how Mrs. Pritchard was. She said she did not know—she had not been upstairs, as he had told her on going out in the morning not to go upstairs, as Mrs. Pritchard seemed disposed to sleep. Patterson then went upstairs and saw that he was following her; and after him came Mary M'Leod.]

After reading the passage his lordship said—This is rather a remarkable incident, because Mary Patterson, being alone in the kitchen, and, hearing a ring, had to go up, and, finding that the door of the consulting-room would not open, although it was slightly ajar, she went upstairs towards the bedroom. Then the prisoner came to the consulting-room door and asked her, "How is Mrs. Pritchard now?" and followed her upstairs, and then immediately behind him came Mary M'Leod. I do not say, gentlemen, that that proves that the prisoner and Mary M'Leod were in that consulting-room then together, and that the door

was kept purposely from opening when Mary Patterson came; but you will consider whether there is not some reason to believe that that looks like a secret intercommunication between the prisoner and Mary M'Leod upon that particular evening. Lord Justice-Clerk

[The Lord Justice-Clerk then read the evidence given by Mary Patterson as to the death of Mrs. Pritchard, and the conduct of the prisoner on that occasion. He also read Dr. Paterson's evidence in regard to the condition in which he found Mrs. Pritchard on the night of the 17th March, immediately before her death, and pointed out that Dr. Paterson denied that he had ever said that Mrs. Pritchard had taken too much wine, which was asserted by the prisoner, and also that he had ordered Dublin stout—another gratuitous assertion which the prisoner made in one of his letters to the father of his deceased wife.] His lordship then continued—Now, gentlemen, such is the scene of Mrs. Pritchard's death, and that brings to a close the main facts of this history during the period to which I referred at the outset—I mean from about the beginning of February down to the 18th March—and such is mainly the evidence upon which the prosecutor relies for a conviction against the prisoner.

But in connection with the death of Mrs. Pritchard it is also necessary that I should call your attention to the return which Dr. Pritchard made to the district registrar of the cause of her death. You see what he had been calling her complaint to other people, and even to medical men—gastric fever. These medical men saw plainly enough that that was not true, whatever her complaint might be, and yet he persisted in that to the end, and returns the cause of his wife's death to the registrar as gastric fever. It is not possible to say here that, as in the case of Mrs. Taylor, that is an assertion of a physical fact—where paralysis was stated to have taken place twelve hours before her death—but you will consider whether, in the case of a professional man like the prisoner, he could ever, in the circumstances—if his wife died from the effects of antimonial poison—be so far deceived as to believe she died of gastric fever.

Now, let us consider what is the general effect and import of all this evidence. As I said before, Mrs. Pritchard appears never to have been out of the house after she became seriously ill. There is no appearance of her ever going out. Mrs. Taylor, from the time she came on the 10th February down to the date of her death on the 25th—a period of fifteen days—was engaged in attending upon her daughter and in managing the house, and whether she was ever out of doors does not appear, but, if so, it cannot have been much or long. Therefore, the two deceased ladies, during the whole of the important period in this case, were in the house, and we may say practically were never out of it.

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The prisoner was living in the house through the whole of the time uninterruptedly. It does not appear that he ever went from home during the time—of course, he was out in the course of the day. We saw instances of that, but then we had in evidence that he was resident in the house constantly. There were two boarders in the house, Mr. King and Mr. Connell, who were very properly examined before you, although they could say nothing very material as to the case, for the purpose of showing how impossible it was that they could have had any concern with this antimonial poisoning. The other inmates of the house, besides the children, previous to the 16th February, were Catherine Lattimer and Mary M'Leod, and subsequent to the 16th February Mary M'Leod and Mary Patterson.

If you are satisfied, therefore, upon the first question which I presented for your consideration, that Mrs. Pritchard certainly died of antimony; and if you are satisfied that Mrs. Taylor also died of poison—although it might be from the combined action of two or more; if you are further satisfied that those deaths were not produced accidentally or suicidally; and, further, that the poison which produced their deaths must have been administered by some one of the persons in the house, then the inquiry comes into a narrow compass.

There is very little to choose from. If the poisoning was continued so as to become chronic, as it was very aptly called by some of the medical witnesses, and particularly in the case of Mrs. Pritchard it was chronic poisoning, extending over a period of several months, then the inquiry comes to this, who amongst the inhabitants of that house did the deed?

It is common in a question of this kind, and very natural, to consider in reference to any individual charged with such a crime, first, what motive he had: secondly, what opportunity he had; and, thirdly, whether he was in possession of the agent or instrument by which death is caused; and it is right that I should direct your attention for a few minutes to these points. In regard to the matter of motive, I would suggest to you that the motive that the prisoner's pecuniary difficulties would be relieved by the death of Mrs. Taylor does not seem to have been satisfactorily made out. You will consider the evidence which was laid before you on the subject, but I confess I do not think it worth while to set it before you again. Then the question comes to be, what was the motive? What is there in the shape of a motive that may be conceived or supposed to account for the perpetration of two such horrible crimes? That is the way it was stated, and ably stated, by the prisoner's counsel.

But, gentlemen, there are some considerations applicable to that part of the case which I am bound to suggest to you. The absence of motive, in the ordinary sense of the

word, is not a very uncommon thing in the experience of a criminal court. In truth, the existence of any adequate motive for the perpetration of a great crime is a thing impossible; there is no adequate or sufficient motive for the commission of a great crime. Still, there may be what is called an intelligible motive—the existence of some evil passion, or some immediate and strong excitement, which, in a moment of half frenzy, drives a man to the commission of murder. These are all very evident and intelligible incentives to crime. Lord Justice-Clerk

But when we find that, in the opinion of the prisoner's counsel, there is no motive for the perpetration of this crime, it means no more than the motive has not been discovered if the crime has been committed, and that it was committed by somebody, I fear, admits of little doubt. There must have been a motive or incentive, and yet we may never discover what it was. You are not in a position to say that there was no motive, but only that the motive has not been discovered; and the motives of human action, as we know from history and experience, are often inscrutable.

Another motive or incentive for the perpetration of the murder of his wife has been suggested against the prisoner, and that is the existence of an illicit relation between himself and the girl M'Leod. This is a very important part of the case undoubtedly, and one to which you are bound to give due attention. The prosecutor suggests that the existence of that intercourse between him and the servant was the reason or the desire that led him to get rid of his wife. If that was the incentive for the commission of the crime, I do not think there will be much difficulty in explaining the incentive to the commission of the other crime—that of the murder of his wife's mother, because we presume, in the course of the chronic poisoning of his wife, Mrs. Taylor would have been a great obstruction to and interference with his plans. But it is for you to say whether you think that the existence of an illicit connection with the servant girl is sufficient to account for his taking up this nefarious purpose of murdering his wife.

It is a fair question for consideration, and one that I should desire you to turn your minds to very seriously, keeping only this in view, that, even supposing you find it impossible to assign an intelligible motive for the commission of one or both of these murders, the entire absence of evidence of motive is not a sufficient reason for acquitting the prisoner if you are satisfied from the other evidence in the case that he is guilty. Motive, after all, can but create a presumption one way or another. It is not evidence of the fact of murder that a man has an obvious motive to commit it; and just as little can the absence of proof of the existence of a motive be a reason for

Lord Justice-Clerk

finding the prisoner not guilty if the evidence of the fact of the murder be satisfactory against him.

But then, gentlemen, in the second place, as regards the opportunities, it is scarcely necessary to say a single word. His opportunities, of course, were such as a man could not possibly have who was not at once the husband and medical adviser of the one of these ladies, and the son-in-law and the medical adviser of the other. Mr. Clark very properly said, "It is not his fault that he had abundant opportunities. The relation existing between him and these ladies is not his fault, and it was the existence of that relation which gave him these opportunities." Quite true, gentlemen, a very just observation; but remember, on the other hand, that as the opportunities did, in point of fact, exist, he cannot argue the case as if they did not.

Then, lastly, with regard to the accused's possession of the agent or instrument by which death was accomplished, that circumstance is also a strong fact against him. The possession of poisonous drugs to a certain extent is not in itself a suspicious circumstance in the case of a medical man. They are in some degree necessary; but the peculiar position of the matter in this case—the nature of the drugs found in his consulting-room—is certainly not to be lightly passed over, and still less the nature of the purchases that he had been making from two different apothecaries during the period to which our inquiry more particularly refers. In his consulting-room there were found some parcels of tartar emetic—not a very large quantity—and some phials containing the remains of tincture of aconite and of white powder to the extent of three or four grains, containing a strange and somewhat unexplained mixture of tartarised antimony, or tartar emetic and arsenic.

These things were found in his consulting-room; but what had he been purchasing during the period to which our inquiry refers? We have the evidence, first, of apothecaries upon this subject, and we find that on the 16th of November he purchased an ounce of tartar emetic, and upon the 7th of February he purchased another ounce of the same poison—very unusual quantities, as the apothecaries state, for a medical man to purchase. He had purchased no less than five and a half ounces of tincture of aconite, some of it being Fleming's Tincture, and the others being the common tincture. That, the apothecaries have stated, was a very unusual quantity for a medical man to purchase; but I think it was a mistake in some respects to push this statement to the extent to which the prosecutor pressed it, because some of the other witnesses of the same description who were examined said that for external application tincture of aconite is sometimes sold in considerable quantities, and, if it were used for that purpose, it might account for

such a large quantity being purchased by the prisoner. But I do not think that anybody said that two ounces of tartar emetic within a month or two was a usual quantity for one medical man to use who was not in the practice of making up medicines at home, which the prisoner, in his conversation with Dr. Paterson, says he was not. Besides, there were other very strange purchases, which have no immediate connection certainly with the poisoning in this case, but which it is fair to bring under your notice; strychnine, conium, laudanum, digitalis, morphia, and atropine—all strong poisons—were all traced to his possession. Lord Justice-Clerk

The prisoner, therefore, was undoubtedly possessed of a very large quantity of different kinds of poisonous substances; but what is most important is, that he was in possession of that very poison to which the death of Mrs. Pritchard is undoubtedly traced, and to which, in combination with others, the death of Mrs. Taylor is also to be traced—that is, antimony. So that, whether we adopt to the full extent the conclusions of the inquiry now suggested by the Crown, it appears beyond a doubt that some one had been practising a system of poisoning, and that in the possession of the prisoner were the agents which were necessary to carry it on.

Then, gentlemen, as I said before, who else could have done so? Catherine Lattimer, before the 16th February, Mary Patterson, after the 16th February, Mary M'Leod during the whole period, and the prisoner, were in the house. Are you disposed to connect any suspicion either with Catherine Lattimer or with Mary Patterson? You saw them both examined in the box and heard their evidence. You are as good judges as any men can be whether there is ground for suspecting the accession of either the one girl or the other to the compassing of the death of these two women in the manner you have heard described. I suppose you will not have any doubt on these points.

But the prisoner's counsel has said that there was another person in that house who stands in a very different position, and that it appears, singularly enough, throughout the whole evidence that whenever an article of food was to be carried to Mrs. Pritchard, Mary M'Leod's is the hand that bears it. In short, if I understand aright the theory of the prisoner's counsel, it is that Mary M'Leod is the person who caused these two murders; and he invites you to choose between her and the prisoner at the bar, and to pronounce upon a balance of probabilities which of the two it was.

Gentlemen, that is a very painful position for you to be placed in. If it be necessary that you decide absolutely between these two, it must be done. At the same time, the prisoner's counsel did not seem sufficiently alive, in considering this point,

Lord Justice-Clerk

to the possibility that both might be implicated, and if that were so, I suppose we should have little doubt as to which was the master and which the servant; and that, although the one might be the active hand that administered the poison, if two were concerned, you could have very little doubt who prepared it and who set on the other. And, in fact, if you should arrive at that conclusion, every article that the prisoner's counsel alluded to for the purpose of showing the guilt of Mary M'Leod would be an article of evidence to implicate the prisoner at the bar.

But, gentlemen, I do not desire you to take this theory. On the contrary, I think it is quite right that you should consider upon the balance of probabilities, as has been very well said, which of the two is the perpetrator of the crime. And, in considering the question, it is necessary for you to advert to this, that poisoning, if proved at all, extended over a considerable period of time; that the poison was administered in doses, any one of which was insufficient to produce death, but quite sufficient in the aggregate, and by the gradual reduction of the strength of the patient, at length to lead to a fatal termination. Is it conceivable that a girl of sixteen years of age, in the position of a servant maid, could have herself conceived and executed such a design, and, if she had conceived it, could she have executed it within this house under the eye and subject to the vigilance of the husband of one of her victims, himself a medical man?

Gentlemen, that is very hard to believe, indeed. On the other hand, if you can suppose that the prisoner at the bar was the person who conceived and executed this wicked design, it is not so difficult to believe that Mary M'Leod may have been the perfectly unconscious instrument of carrying out his purpose—suspecting nothing, knowing nothing of what was being done, seeing nothing but great kindness on the part of the prisoner towards his victims, and seeing them both dying, slowly, as in the case of Mrs. Pritchard, and, though rapidly in the case of Mrs. Taylor, still in a way the prisoner accounted for as a medical man. You may understand easily enough that a girl in the position of Mary M'Leod might thus be made the unconscious means of carrying out these designs with perfect innocence on her part.

But, so far as I can see, there are but these three suppositions left to us, taking the case as presented on both sides of the bar. Somebody did it, always assuming you are satisfied that murder was committed. The parties who had access to these ladies, and who alone could have done it, are comprehended in the inmates of that house. Some of them are plainly innocent, and in the case of the others the probability of guilt is

reduced to two. Of these two, one or both of them are guilty of this deed. Lord Justice-Clerk

Gentlemen, there is only one part of the case which I have not touched upon, and that is because there did not occur any fitting opportunity for doing so before—I mean the difficulty which has been suggested as to the true cause of Mrs. Taylor's death. It is contended, on the part of the prisoner, that Mrs. Taylor died of opium, and that that opium was administered by her own hand; and it is said that if that were so—if she really died from the effects of opium, and that opium administered by her own hand—it is impossible to say there was murder in her case at all.

Now, observe exactly how the case stands with regard to her. There is no doubt that when Dr. Paterson saw Mrs. Taylor he was under the impression that she was dying from the effects of a narcotic poison, and opium is such a poison. He was not then aware of what were the contents of the bottle, by reason of the taking of which it now clearly appears her death was occasioned; but we are now in possession of the contents of that bottle. We know that it consists partly of opium, and partly of two other poisons—antimony and aconite. We have the testimony of the medical men that the quantity of opium taken on the occasion, more or less, must have been accompanied by a certain proportion of aconite and antimony; and if she took no more than her accustomed quantity of opium—of Battley's mixture—say, a hundred drops, or something of that kind—she must have imbibed along with it a sufficient quantity of the other poisons to cause her death, from the proportion in which they were present. If that be so, and if you are of opinion that, upon the evidence, the poisons of antimony and aconite were put into the bottle by the hands or through the instrumentality of the prisoner; if he contributed these poisons to the mixture that caused her death, there can be no doubt whatever that in law, and I think I may submit, in plain common sense, she died by the poison that he had put into this bottle.

But, gentlemen, on the other hand, if you should be impressed with the difficulties that have been suggested on the part of the prisoner regarding the cause of Mrs. Taylor's death, if you should think that there is the slightest imperfection in the proof that she was actually murdered, that she was done to death by poison administered, it may be, by her own hand, but out of a bottle drugged for the purpose—if you should think there is any doubt about that—you will, of course, give the prisoner the benefit of the doubt, however little it may relieve him of the grave fact—if you are satisfied of the fact—that these poisons were introduced into that bottle by him.

But, even supposing it were so, that you acquit him of the

Lord Justice-Clerk murder of Mrs. Taylor, you will bear in mind in dealing with the rest of the case and with the charge of the murder of his wife, Mrs. Pritchard, you do not throw out of view the circumstances which you conceive to be established by the evidence connected with the death of Mrs. Taylor, and which are most material parts of the case in the charge of the murder of Mrs. Pritchard.

And now, gentlemen, I have done. I am extremely sorry that it has been necessary for me, in the discharge of my duty, to detain you so long; but I have ventured to think, in a case of such magnitude, such great importance, and in a case, I must say, of such appalling consequence, that I could not do less than present to you everything that appeared to my own mind to be material as bearing either way on this case. You will now be kind enough to consider your verdict, and I am sure the result will be one which is satisfactory to your minds.

The Lord Justice-Clerk having concluded his charge, the jury then retired to consider their verdict.

After an absence of fifty-five minutes the jury returned into Court, and, having answered to their names, the foreman, Mr. Sim, announced that the jury had agreed upon the following verdict:—

"The jury unanimously find the prisoner guilty of both charges as libelled."

The verdict having been recorded,

The Solicitor-General moved that the Court pass sentence.

The prisoner having been asked to stand up,

The Lord Justice-Clerk addressed him as follows:—Edward William Pritchard, you have been found guilty by the unanimous verdict of the jury of the two murders charged against you in this libel, and the verdict proceeds upon evidence which, I believe, leaves in the minds of no reasonable being the slightest doubt of your guilt. You are aware that upon such a verdict one sentence only can be pronounced. (The prisoner bowed.) You must be condemned to suffer the last penalty of the law. (The prisoner again bowed.) It is neither my duty nor my inclination to say one word which shall have the effect of aggravating the horror of your position, and I leave it to the ministers of religion to address to you exhortations to repentance, which, by God's blessing, I hope may be attended with a good result. Let me only remind you that you have but a short time left on this earth, and I beseech you to devote that short space to making your peace with Heaven. Listen now to the sentence of the Court.

The Lord Justice-Clerk, assuming the black cap, then proceeded to read the following sentence:—In respect of the verdict before recorded, the Lord Justice-Clerk and Lords

The Lord Justice-Clerk's Charge.

Commissioners of Justiciary decern and adjudge the panel, Edward William Pritchard, to be carried from the bar back to the prison of Edinburgh, and from thence forthwith to be transmitted under a sure guard till brought to and incarcerated in the prison of Glasgow, therein to be detained, and fed on bread and water only, till the 28th day of July current; and upon that day between the hours of eight and ten o'clock forenoon, ordain the said Edward William Pritchard to be taken furth of said prison to the common place of execution of the burgh of Glasgow, or to such place as the magistrates of Glasgow shall appoint as a place of execution, and there, by the hands of the common executioner, be hanged by the neck upon a gibbet till he be dead, and ordain that his body thereafter be buried within the precincts of the prison of Glasgow; and further ordain his whole moveable goods and gear to be escheat and inbrought to Her Majesty's use. His lordship then, removing the black cap, added—Which is pronounced for doom, and may God Almighty have mercy upon your soul. Lord Justice-Clerk

The prisoner, before being removed, again bowed to the bench and also to the jury.

The Lord Justice-Clerk then thanked the jury for their attendance, after which, the prisoner having been removed, the Court rose.

APPENDICES.

APPENDIX I.

A Brief Account of the Judges and Counsel engaged in the Trial of Dr. Pritchard.

John Inglis, Lord Glencorse (1810-1891), youngest son of the Rev. Dr. John Inglis, minister of Old Greyfriars Parish, Edinburgh, was born in George Square, Edinburgh, on 21st August, 1810. He was educated at the High School of Edinburgh, the University of Glasgow (LL.D., 1869), and Balliol College, Oxford (B.A., 1834; D.C.L., 1859). Called to the Bar in 1835, he soon acquired a reputation as an eloquent and skilful pleader. He was appointed an Advocate-depute in 1844, and in February, 1852, he became Solicitor-General for Scotland under Lord Derby's administration. On the defeat of the Government he was elected Dean of the Faculty of Advocates; and in 1858 he became Lord Advocate, and was returned to the House of Commons as member for Stamford. On 13th July of that year he was raised to the Bench as Lord Justice-Clerk. On 26th February, 1867, on the death of Lord Colonsay, he was appointed Lord Justice-General of Scotland and Lord President of the Court of Session. He died at his residence of Loganbank, Midlothian, on 20th August, 1891, one day before the completion of his eighty-first year.

As a pleader, Inglis' most famous achievement was his brilliant defence of Madeleine Smith in 1857, and his address to the jury in that historic trial is rightly considered a masterpiece of forensic eloquence. As a lawyer, he stood alone among the men of his generation, and he had a greater judicial reputation than any Judge since Lord Stair. He was courteous, dignified, and patient in the discharge of his high office, and possessed the gift of lucid and stately expression. No occupant of the Bench has earned a higher name for uprightness of character and soundness of judgment.

James Crauford, Lord Ardmillan (1805-1876), eldest son of Major Archibald Clifford Blackwell Crauford of Ardmillan, Ayrshire, was born at Havant, Hampshire, in 1805. He was educated at Ayr Academy and at the Universities of Edinburgh and Glasgow. He became an advocate in 1829. On 14th March, 1849, he was appointed Sheriff of Perthshire, and on 16th November, 1853, Solicitor-General for Scotland under the administration of Lord Aberdeen. He was nominated to the post of Judge of the Court of Session on 10th January, 1855, and assumed the title of Lord Ardmillan. He died at his residence, 18 Charlotte Square, Edinburgh, on 7th September, 1876.

As an advocate, Crauford acquired a considerable practice in criminal cases and in the Church Courts. He was an effective and eloquent pleader. As a Judge, he is best remembered as having, on 3rd July, 1862, delivered judgment in the Outer House in the celebrated Yelverton marriage case, finding against the legality of the alleged marriage.

Dr. Pritchard.

Charles Baillie, Lord Jerviswoode (1804-1879), the second son of Mr. George Baillie of Mellerstain, Berwickshire, and Jerviswoode, Lanarkshire, was born on 3rd November, 1804. He was admitted as an advocate in 1830. He filled the office of Advocate-depute from 1844 to 1846 under the ministry of Sir Robert Peel, and again in 1852 under that of the Earl of Derby. He was appointed Sheriff of Stirlingshire on 2nd March, 1853, and acted in that capacity till, on 26th February, 1858, he became Solicitor-General for Scotland. In the latter year he was appointed Lord Advocate, having been returned unopposed as member for the county of Linlithgow; and, on 15th April, was raised to the Bench, with the judicial title of Lord Jerviswoode, a position which he occupied for fifteen years. In 1874 he retired from his judicial functions to his country residence, Dryburgh House, Roxburghshire, where he resided till his death on 23rd July, 1879.

As a pleader, Baillie was not remarkable for his forensic ability, but his reputation for able and conscientious work was high. As a Judge, he was distinguished for his judicial learning and personal integrity.

George Young, Lord Young, the eldest son of the late Alexander Young, Esquire of Rosefield, Kirkcudbright, procurator-fiscal of Dumfriesshire, was born in Dumfries in 1819, and was called to the Scottish Bar in 1840. In 1853 he was appointed Sheriff of Inverness, and in 1860 Sheriff of Haddington and Berwick. He held office as Solicitor-General for Scotland from 1862 to 1866, and again from 1868 to 1869, in which latter date he was appointed Lord Advocate. After a brilliant professional and political career, on 18th February, 1874, he was raised to the Bench, with the judicial title of Lord Young, a position which he filled until his retirement, after a long and distinguished tenure of office, in May, 1905. When, as not infrequently happened, he had occasion to differ from his learned brethren of the Second Division, on appeal being taken to the House of Lords, great weight invariably attached to his opinion.

On 26th June, 1903, the Town Council of Dumfries conferred upon his lordship the freedom of his native town on account of his services to the country, both as Lord Advocate, when he carried through the Education Act of 1872, and as a Judge of the Court of Session for the long period of twenty-nine years.

Adam Gifford, Lord Gifford (1820-1887), eldest son of James Gifford, Master of the Merchant Company, was born at Edinburgh on 29th February, 1820, and was educated at the Edinburgh Institution. In 1835 he was apprenticed to his uncle, a solicitor; but, abandoning that branch of the profession, was called to the Bar in 1849. In 1861 he was appointed an Advocate-depute, and in that capacity he, in 1862, conducted, on behalf of the Crown, the prosecution of Jessie M'Lachlan in the well-known Sandyford murder case. He became Sheriff of Orkney in 1865, a post which he held until his elevation to the Bench on 28th January, 1870. He resigned that office, owing to ill-health, on 25th January, 1881. He died on 20th January, 1887.

As an advocate, Gifford was able and persevering, and acquired an extensive practice. As a Judge, he was distinguished by strong common sense, and as having a desire to promote equity in jurisprudence. By his will he bequeathed a sum of about £80,000 to found the well-known Gifford Lectureships on natural theology in Edinburgh, Glasgow, Aberdeen, and St. Andrews.

Appendix I.

James Arthur Crichton (1825-1891) was the son of the late Hew Crichton, Writer to the Signet, Edinburgh, and was born in 1825. He was called to the Bar in 1847, and acquired an extensive consulting practice. He was appointed to the office of Advocate-depute in 1862, in which capacity he assisted in the prosecution of Dr. Pritchard; and in 1870 he was appointed Sheriff of Fife. In 1886 he succeeded Sheriff Davidson as Sheriff of the Lothians and Peebles, which office he held till the time of his death, which took place in 1891.

He was of a kindly and genial disposition, and possessed of a sound knowledge of law. His judgments as Sheriff were seldom reversed by the superior Courts.

Andrew Rutherfurd Clark, Lord Rutherfurd Clark (1828-1899), second son of the late Dr. Thomas Clark, Edinburgh, was born in 1828, his mother being a sister of Lord Rutherfurd. Educated at the University of Edinburgh, he was admitted an advocate in 1849. In 1851 he was appointed Advocate-depute, and held the like office from 1853-8. In 1859 he was appointed Sheriff of Inverness, and in 1861 Sheriff of Haddington and Berwick. He came prominently before the public in 1865 in connection with the Pritchard trial and the Breadalbane succession case. In 1869 he succeeded Lord (then Mr.) Young as Solicitor-General for Scotland, which office he held till 1874, when he was elected Dean of Faculty. He was raised to the Bench in 1875. He retired, owing to ill-health, in March, 1896, and died at his residence, Inveresk House, Musselburgh, on 26th July, 1899.

At the Bar he was one of the most successful pleaders of his time, and acquired an extensive and lucrative practice. As a Judge, he was distinguished by a comprehensive knowledge of law and practice, combined with good sense and acumen.

William Watson, Lord Watson (1827-1899), son of the Rev. Thomas Watson, was born at the Manse, Covington, Lanarkshire, on 25th August, 1827, and was educated at the Universities of Edinburgh and Glasgow. He was admitted an advocate in 1851, but for many years made slow progress in his profession. From the time of his appearance for the defence in the Pritchard trial, however, his practice steadily increased; and in 1874 he was appointed Solicitor-General for Scotland. In the following year he was elected Dean of the Faculty of Advocates; and in 1876 became Lord Advocate, and represented in Parliament the Universities of Glasgow and Aberdeen. In January, 1879, he conducted, as Lord Advocate, the prosecution of the Directors of the City of Glasgow Bank. On 28th April, 1880, he was appointed a Lord of Appeal in Ordinary in succession to the late Lord Gordon, and was created a life peer by the title of Baron Watson of Thankerton. He died at Sunlaws House, Kelso, on 14th September, 1899.

His great judicial qualities earned him the reputation of being, with the possible exception of Lord President Inglis, the greatest Scots lawyer of his time. His judgments were remarkable for massive strength of diction and directness in reasoning, and were equally well received by the profession both as regards English and Scottish cases.

David Brand, Sheriff of Ayrshire, son of the late Robert Brand, Glasgow, was born there in 1837. He was educated at Glasgow, Edinburgh, and Heidelberg Universities. From the latter University he has received the degree of Doctor *Utriusque Juris*. He

was admitted a member of the Faculty of Advocates in 1864, and from 1880 to 1885 acted as Advocate-depute. While Home-depute he prosecuted as one of the counsel for the Crown in the Glasgow Dynamitards case, where ten accused were all convicted. He also prosecuted in various important capital cases, including the Gorebridge case, in which two accused were both convicted. In the latter year he was appointed Sheriff of Ayrshire, a judicial office which he still holds (February, 1906).

He was appointed chairman of the Crofters Commission immediately on the passing of the Act in 1886; chairman of the Royal Commissions (Highlands and Islands), 1892-95; and a Commissioner under the Congested Districts (Scotland) Act, 1897. He is a member of the Northern Lighthouse Board, and is joint author of an edition of the Court of Session Act, 1868.

APPENDIX II.

Summary of Legal Points arising out of the Trial of Dr. Pritchard.

I. INDICTMENT.

Separation of Charges.—Circumstances in which, in an indictment libelling two charges of murder by poison, a motion on the part of the panel that the charges should be taken separately was refused.

II. MEDICAL WITNESSES.

Medical witnesses on both sides allowed to remain in Court, on condition that they should withdraw while evidence of medical opinion was being given.

III. EVIDENCE.

(1.) Precognition.—Question proposed to be put to a witness disallowed by the Court, as comprehending an inquiry into what the witness had stated on precognition.

(2.) Hearsay.—Objection to a certain line of examination as involving hearsay evidence—repelled.

(3.) Notice.—(*a*) In a charge of murder by the panel of his wife and her mother it was proposed by the prosecutor to ask a witness, a female servant in the house, whether during a time stated the wife had seen the panel use any familiarities with witness. Question objected to as leading to a separate line of inquiry, of which no notice had been given—but allowed under the circumstances.

(*b*) The witness having deponed that she had been with child to the panel, and that she had a miscarriage, held incompetent to ask whether the panel gave her anything to cause the miscarriage, there being no notice in the indictment of any such charge.

Appendix III.

APPENDIX III.

A List of Publications on the Subject of Dr. Pritchard's Trial.

1. A Complete Report | of the Trial of | Dr. E. W. Pritchard, | for | The Alleged Poisoning of his Wife and Mother-in-law. | Reprinted, by Special Permission, from "The Scotsman." | Carefully Revised by an Eminent Lawyer. | With an Accurate Portrait. |
Edinburgh: William Kay, 5 Bank Street. 1865: 8vo pp. viii.+134. Second edition, 1865: pp. viii.+135.

2. Report of the | Trial of Dr. Edward William Pritchard | for the Poisoning of his Wife and Mother-in-Law. | Before the High Court of Justiciary, Edinburgh, July 3, 4, 5, 6, and 7. [Portrait and facsimile autograph.]
Edinburgh: Henry Robertson. Glasgow: William Love. And all News-agents. Price Twopence. N.D. [1865.] Sm. 4to, pp. 32.

3. Historical and Scientific | Notice | of the Poisons employed by | Dr. Pritchard: | Antimony, Aconite, and Chloroform. | By A. Jaeger, | Chemist, | of the firm of Cochran & Hay, Kirtonfield, Neilston, Scotland. |
Glasgow: Printed by Kerr & Richardson, 1865. F'cap 8vo, pp. 10.

4. Edinburgh | Medical Journal, | combining | The Monthly Journal of Medicine | and | The Edinburgh Medical and Surgical Journal | Vol. XI.—July 1865 to June 1866. |
Edinburgh: Oliver and Boyd, [etc.] MDCCCLXVI: 8vo.
Report of the Trial: pp. 163-200.

5. Reports of Cases | before | The High Court | and | Circuit Courts of Justiciary | in Scotland. | During the years 1865, 1866, and 1867. | by | Alexander Forbes Irvine, | Advocate. | Vol. V. |
Edinburgh: T. & T. Clark, [etc.] MDCCCLXVIII: 8vo.
Report of the Trial: pp. 88-191.

6. Reports of Trials | for | Murder by Poisoning; | by | Prussic Acid, Strychnia, Antimony, | Arsenic, and Aconitia. | including the | Trials of Tawell, W. Palmer, Dove, Madeline Smith, Dr. Pritchard, [etc.] | by | G. Lathom Browne, [etc.] | and | C. G. Stewart, [etc.] |
London: Stevens and Sons, [etc.] 1883: 8vo.
Report of the Trial: pp. 397-448.

7. Remarkable Scottish Poisoners. | (Causes Célèbres.) | Dr. E. Pritchard, | The Glasgow Poisoner. | "Give me a man that is not passion's slave," | [etc.] | Hamlet, Act I., Scene 2. |
Edinburgh: A. Brown (Old Darien House), 15 Bristo Place. N.D. 12mo, pp. 15.

8. Studies | in | Black and Red | by | Joseph Foster | [etc.] |
London : Ward & Downey [etc.] 1896 : Crown 8vo.
Chapter XXII : Dr. E. W. Pritchard.

9. Mysteries of Police | and | Crime | a general survey of wrong doing | and its pursuit | by | Major Arthur Griffiths | [etc.] | In two volumes.
London : Cassell and Company, Limited [etc.] 1898 : 8vo.
Vol. II, part VI, chap. XXV : Dr. Pritchard.

10. Poison Romance and | Poison Mysteries. | by | C. J. S. Thomson, | [etc.]
London : The Scientific Press, Ld., [etc.] 1899 : Crown 8vo.
Chapter XIII : The Case of Dr. Pritchard.

11. Famous Trials | of the Century | [etc.] | The Queen against Pritchard | by | J. B. Atlay, M.A. | [etc.] |
London : Grant Richards 1899 : Crown 8vo.
Chapter VII : The Queen against Pritchard.

The following publications are of interest in connection with Dr. Pritchard personally :—

12. Pritchard (Edward William), M.D.—Observations on Filey as a Watering Place; or, a Guide for Visitors. Scarborough: George L. Beeforth, 3 St. Nicholas Street. 1853. 12mo. 39 pp (last leaf not numbered).

13. Chair of Surgery in Anderson's University.—Application of Edward William Pritchard, M.D. Glasgow: Printed by John Davidson, St. Enoch Square. N.D. [1860.] 12mo. 14 pp.

14. Roxburgh (John), D.D.—The Retributive Providence of God, Manifested in Connection with the Crime and Punishment of Dr. Pritchard. A Sermon. Published by Request. Glasgow: Thomas Murray & Son. Edinburgh: William Ritchie. 1865. 8vo. 23 pp.

Two anonymous poems on the subject of Dr. Pritchard were published in Glasgow in 1865, the one entitled "Dr. Pritchard turned into a Pillar of Salt," and the other "An Hour with the Ghost," both in pamphlet form. Numerous broadsheets, containing doggerel verse on subjects connected with the trial, also appeared in the same year, viz., "A new Poem on Dr. Pritchard," by David Kerr, weaver, Kirkintilloch; "The Lament of Mr. Taylor for his Wife and Daughter;" "A Lament for the Children of Dr. Pritchard;" "Lines on the Execution of Dr. Pritchard;" &c. On the morning of the execution there was also published a broadsheet, giving an account of the convict's career, and containing a rude woodcut of his execution.

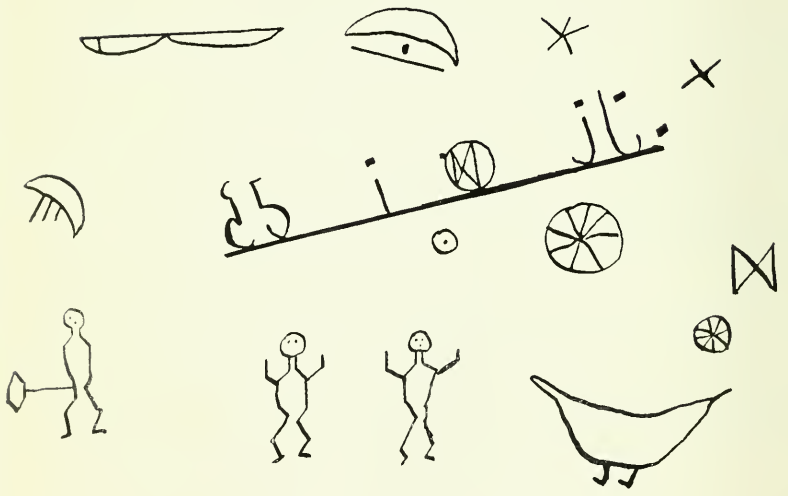
Reports of, and comments upon, the trial appeared in the contemporary newspaper press of the United Kingdom. The case was also discussed from both the legal and medical standpoints in various magazines, *e.g.*, "The Journal of Jurisprudence" (August, 1865, vol. ix., pp. 288-294) and the "Lancet" (1865, vol. ii., pp. 52 and 73). Observations on the conduct of Dr. Paterson from the professional point of view will be found on pp. 69 and 95 of the last-mentioned volume.

naiveté amongst them their jokes and
witticism have not the barb or poison
which in small districts is too common
amongst ourselves - nor does the scandal of
a small place breathe here. they pay
much attention to the sick and entertain
great respect for the elders of the community
they annually elect a magistrate - all
males and females who are above 18 years
of age voting. The magistrate then names
one Councillor & the people another
at the time of our visit, George Adams son
of the mutineer was the chief magistrate
and John Adams and William Quintall the
two Councillors. The school is managed
by Mr. Hobbs who receives a salary of
4 dollars per month or an equivalent in
food or labour for each child whether the
parents send them or not. From here we
ramble on nearly over the whole Island
sometimes going through a large Banyan
tree. or a yam garden - or a beautiful field
of sweet potatoes or a clump of orange trees

Facsimile of two pages of MS. of Lecture on "A Visit to Pitcairn Island," delivered by Dr. Pritchard in the Glasgow Athenæum.

Exact Copy –

Hieroglyphics – From Pitawin Island



The Moon – The Sun The Stars a Bird
Figures of Man –
I am inclined to believe them of a
Masonic origin – But how they got there
is a problem?
Do they allude to Sun Worship?

Appendix IV.

APPENDIX IV.

DR. PRITCHARD'S DIARIES,

FOUND IN HIS CONSULTING-ROOM AFTER HIS APPREHENSION.

I.

EXCERPTS FROM "LETTS' MEDICAL DIARY, 1864."

October 1864.

5 Wed:
Pd Catherine Latimer £2 to go to Carlisle in Pt (Wages).

6 Th:
Catherine £1 more.

19 Wed:
Catherine back from Carlisle.

31 Mon:
Richard King came.

November.

26 Sat:
Hory.

28 Mon:
Telegram 1/.

December.

6 Tu:
Natal Day—God preserve me and mine.

12 Mon:
Pd. T. D. Alexander 82.5.8.

22 Th:
Fa Fa Mamma & Grandma Ali Ali & Kenny came home.

II.

EXCERPTS FROM "LETTS' MEDICAL DIARY, 1865."

January 1865.

10 Tues:
[1]Fa Fa left.

11 Wed.
[2]Thom home.

23 Mon:
1st Complaint R. King [3]M M.
Water &c.

---

[1] Accused's eldest daughter. [2] T. Connell, one of accused's boarders.
[3] Mary M'Leod.

Dr. Pritchard.

February.

7 Tu:
[1]Dr. J. M. C. here

8 Wed:
Dr. J. M. C. left Dr. Gairdner

9 Th:
Dr. Gairdner 2/s
[2]Miss Laird came

10 Fri:
[3]Grandmama

15 Wed:
[4]Pd Cath Latimer £11 0 0 left my service too old

February.

16 Th:
Catherine left 10 p.m.
[5]Mary Patterson Cook joined my service

23 Th:
Cork Screw, Tumbler 2/4d

25 Sat:

> 1 a.m. Died here Jane Taylor aged 70. Dr. J. M. C. over Mr. M. Taylor

27 Mon:
Wrote Dr. J. M. C.
Body left 11/45 for Edina

28 *Shrove* Tu:
[6]Dr. M. T. came
Telegrams 3/

March.

1 Mar:
Letter from Dr. J. M. C. Will 2/3 & 1/3 rd[7]
Wrote Dr. C.

2 Th:
Buried Mrs. Taylor, poor Dear Grandma in Grange Cemetry

4 Sat:
Inventory at Edinbro

---

[1] Dr. James Moffat Cowan, a witness. [2] A witness. [3] Mrs. Taylor.
[4] Catherine Graham or Latimer, a witness. [5] A witness.
[6] Dr. Michael Waistell Taylor, a witness.
[7] This the import of Mrs. Taylor's Settlement—2/3ds to Mrs. Pritchard and 1/3rd to Dr. M. W. Taylor.

Appendix IV.

March.

7 Tu:
[1] 5/3 anchor

10 Fri:
Edina Saw Fa Fa Mary Kenny dined with J. M. C.[2]

11 Sat:
Fresh Butter [3] Chamomile Flr 2.0

14 Tu:
Wrote Dr. J. M. C. Dr. Taylor

18 Sat:

At 1 a.m. Mary Jane my Beloved passed away.

III.

Excerpts from "Blackwood's Shilling Scribbling Diary, 1865."

January 1865.

9 Monday.
The type of fever, says Professor Gairdner, cannot be cut short. Query?
That little or no medicine is needed, not even stimulants.

February 1865.

24 Friday.
About 9 p.m. (Jane Cowan) Mrs. Taylor was seized with vertigo and rigors, quickly becoming comatose, with paralysis of the left side; stertorous breathing—involuntary passing of fæces—moribund in three hours—dying.

25 Saturday.
About 1 a.m. this morning passing away calmly—peacefully—and the features retaining a life-like character—so finely drawn was the transition that it would be impossible to determine with decision the moment when life may be said to be departed.

March 1865.

2 Thursday.
At Edinbro'. Burial of Mrs. Taylor in Grange Cemetry, fifty yards from entrance, to the left—next the Lover's Loan.

4 Saturday.
At Edinbro. Division of personality.

11 Saturday.
Consultation in Edinbro.

17 Friday.
Cerebral excitement, M. J.; consult Dr. Paterson—ordered chlorodyne × vin Ipecac: sol Morph × × × Aqua cinamomi *m*.

---

[1] Anchor brooch bought from Mrs. Stewart, witness No. 47, and given to Mary M'Leod.
[2] Dr. Cowan. [3] Chamomile tea given to Mrs. Pritchard on this date.

Dr. Pritchard.

March 1865.

18 Saturday.
Died here at 1 a.m. Mary Jane, my own beloved wife, aged 38 years—no torment surrounded her bedside—but, like a calm, peaceful lamb of God—passed Minnie away.
May God and Jesus, Holy Gh., one in three—welcome Minnie. Prayer on prayer till mine be o'er; everlasting love. Save us, Lord, for Thy dear Son.

19 Sunday.
Grand pa here.

APPENDIX V.

EXCERPTS from LETTERS recovered in the case of EDWARD WILLIAM PRITCHARD, bearing upon Mrs. PRITCHARD'S visit to Edinburgh in the end of November 1864, her health when there, and after her return, up till the time of her death.

No. 42

(1) From letter, Mrs. Pritchard to her daughter, Miss Pritchard, commencing 'My dearest Fan,' and ending 'Your own dear 'mamma Mary Pritchard.'

'I got your letter yesterday but could not answer by return of 'post as you wished.
'I should like to go to you for a few days, but this week it will 'be impossible first of all, I cannot go out 2nd I have the new 'pupil to set to rights and make all smooth for him and lastly I 'must see after Horace and Kenny's warm clothing I had just 'commenced putting their winter clothes in order when I was 'laid up Perhaps if I am not better next week if grand ma 'writes to your papa he may send me for a few days the week 'grand papa is most likely to be here or at least part of the time. 'I am better but my cold is still in my head and eyes and dont 'sleep well at night I was sorry that I could not finish Ailis 'dress but on Saturday I was too ill to leave my bed till after tea '. . tell grand ma Mr King came on Monday.'

No. 30

(2) From letter, Miss Pritchard to her father, commencing 'I 'love you 1 Lauder Road, Grange Edin.,' and ending 'Sunday 'evening Edinburgh.'

---

(1) This letter appears to have been written on a day in the week ending 5th November. This, shown from the last paragraph excerpted "Tell Grandma Mr. King came on Monday," and the entry in Letts's Diary for 1864, where, under date 31st October (Monday), the following entry appears—"Richard King came."

(2) This letter apparently written after receipt of the immediately preceding letter, and very likely on *Sunday*, the *6th* November, as the letter next quoted, apparently in answer to this, is dated *14th* November, and speaks of her letter having been left unanswered, which it could not have been, had it been written on Sunday, the *13th*.

Appendix V.

'Grand mama I am sorry to say is not able to write to you 'herself, She has been in bed for the last three days with a cold 'but she is better now I am happy to say. My darling if you will 'spare dear mama for a few days it will help to cheer dear grand 'mamma and as poor mamma has been ill the change will do her 'good, Do let her come for grand mamma would like to see her 'and have her with us for a few days. Grandmamma sends her 'love to you & says if you will let her come you must send her 'first class. I will be at the station with a cab to meet her so 'if you will write by return of post & let me know what day we 'may expect her.'

———

No. 43

(3) From letter from Dr. Pritchard to Miss Pritchard, dated '14th 11.64,' and ending 'your affectionate papa Edward.'

'Your letter has been left unanswered expecting 'Mamma' 'would be better.

'It grieves me much to add she continues very poorly—not able 'to be up till middle of the day. Mr King you know is with us 'now and if Mamma were better I do not think we could manage 'without her.

'Unless Dear Grandma could come and take charge while she 'is away.

'I was so glad to find you were getting on at school—and if I 'hear good accounts, by and by—we will astonish your belongings 'by adding something to your property.'

———

No. 40

(4) From letter, Mrs Pritchard to Miss Pritchard, commencing 'My Dear Fan,' and ending 'Ever Dear Fan your own Mamma 'Mary Pritchard.'

'Papa answered your letter I think the other day so I did not 'write to you I hope dear Grand Mamma is better again and 'able to be about as usual.

'I have still my cold but not so bad as it was. My head 'still aches daily and my eyes are not quite right yet. I am 'going to ask Papa to allow me over for a few ' think I would sooner shake off the weariness 'by a short change but if I do come I must bring Kenny with 'me . . . . . ' . . . . . if I do come it will be on 'Saturday by the 2 o'c train if I dont it can't be helped.'

---

(3) This letter proves its own date.

(4) This written after the immediately preceding one, as shown from the first paragraph; but beyond this, and the fact that it must have been written before 28th November, as shown from the post-mark of the envelope in which No. 34 was found, there is nothing by which the precise date can be fixed. The paper is torn where the blanks are.

Dr. Pritchard.

No. 32

(5) From letter, Mrs Pritchard to Dr Pritchard, commencing '1 Lauder Road Edinburgh My Dear Edward,' and subscribed 'Ever your Minnie.'

'Kenny and I arrived safely yesterday Grand P. and G M 'along with Fanny and Aili were waiting for us.
'Today has been fine, but I have not been out. I feel better 'but no appetite I suppose it will come.'

———

No. 34

(6) From letter, Mrs Pritchard to Dr Pritchard, commencing '1 Lauder Road Edinburgh My Dear Ted,' and ending 'Ever 'Dear Ted, Your Minnie.' (Found in an envelope bearing Edinburgh and Glasgow post-marks of November 28th 1864.)

'I am very vexed to hear that Dear Horace is ill Had he 'taken anything to disagree with him when he was out? Your 'message by Telegraph relieved me much . . . . . 'Miss Moffat was mistaken when she said that I had been out to 'a party. Grand mamma and Grand papa were at Mrs John 'Moffats but I was sitting quietly at home They wished me to 'go but I did not feel well enough I have been out two or three 'times once to get under woollen clothing which has kept me 'much warmer and more comfortable Yesterday I went with 'Grand ma to hear Spurgeon preach—an immense number of 'people. I have made no calls yet except to Miss Bain as I had 'promised to go the first time I was out . . . . . 'Grand mamma is better she sends her love to you and thinks I 'have improved very much since I came here My eyes are much 'better.'

———

No. 29

(7) From letter, Mrs. Taylor to Dr. Pritchard, commencing '1 'Laud. Friday evening,' and ending 'ever yours J. Taylor.'

'You cannot think how much we were disappointed at not seeing 'you after the double hope held out to us that we should have 'that pleasure That you were usefully employed was the only 'consolation. I hope that by this time Horry is well & will in 'future avoid crab apple.
'Mary has improved very much since she has been here and is 'now able to go out and enjoy her daily walk.'

(5) The same observation as made on No. 40 applies to this also. This is the first letter written by Mrs. Pritchard after going to Edinburgh.

(6) Date shown by post-mark on envelope, and reference in the letter to illness of Horace, and telegram taken in connection with entries in Letts's Diary under dates Saturday, 26th, and Monday, 28th November, "Hory," "telegram."

(7) Nothing to fix date.

Appendix V.

No. 31

(8) From letter, Miss Pritchard to her father, commencing '1 'Lauder Road Grange Edinburgh 5th Decr/64.'

'Ma is very well all fat and blooming, She has gained three 'pounds of flesh since she came, We cant keep her any longer for 'she eats to much . . . . . .
'Ma has been very gay; she has been out twice, once at dinner at 'Mr. Bain's and once out to Tea.'

———

No. 33

(9) From letter, Mrs Pritchard to Dr Pritchard, commencing '1 'Lauder Road My Dearest Ted,' and ending 'yours Minnie.'

'This is your natal day. Many Many years may you be 'spared in health. May the years be brighter as they increase. '. . . . . Grand ma and I were calling on 'Miss Paton on Saturday, We had an early cup of tea with her 'and rested ourselves and then came home. Last Thursday Miss 'Bain requested Grand ma and me to dine with them, so we had 'a quiet dinner. The two Miss Bains and their brother, the old 'Lady came in to Tea. Grand ma would not let me walk home 'so we had a cab. These are the only times I have been out 'calling except to Miss Boyds one afternoon.'

———

No. 24

(10) From letter, Mrs Pritchard to Dr Pritchard, commencing '1 Lauder Road Sunday,' and ending 'Ever your affectionate 'Minnie.'

'I am much better except to day I have a desperate headache 'I have not been able to go out . . . . . .
'be sure you have the title deeds all right before you give the 'money to Alexander I hope soon we will start a little clearer.'

———

No. 36

(11) From letter, Mrs Pritchard to Dr Pritchard, commencing 'Monday afternoon My Dearest Ted.' (Found in an envelope bearing the Edinburgh and Glasgow post-marks of 19th December 1864.)

'I was quite ready with my bonnet on Cab ordered &c to leave 'this afternoon when Fanny came home from School and said that 'she would be able to leave on Thursday at 2 o'C and begged of 'me to wait for her and Grand ma especially as the latter would 'not promise to go to Glasgow as she is still a Prisoner so I

(8) Letter proves its own date.

(9) Date, 6th December. See entry in Letts's Diary under that date.

(10) Entry in Letts's Diary for 1864, under date 12th December, *Monday*, bears the payment of Mr. Alexander's account on that day. See the last paragraph.

(11) Date shown by post-mark of envelope, and from entry in Letts's Diary for 1864, under date 22nd December, *Thursday*—"Fa Fa, Mamma, and Grandma, Ali Ali and Kenny came home."

'thought the best way to make sure of her was to stay till
'Thursday at 2 o'C so meet us at the station . . . .
. . . . . You will grumble at my long absence
'but dear mamma is not strong and requires care We may not
'have her very long to look after or we may be the first to go
'. . . . . Grand ma says you must not
'be very cross when she comes.'

———

No. 38

(12) From letter, Mrs Taylor to Miss Pritchard, commencing 'Friday,' and ending 'Ever your very affectionate Grand ma Jane 'Taylor.'

'I have not written you so often as I said I would because your 'Dear Mama has remained in almost the same state for some days, 'but now that she is a little better I will do so I am happy to 'say that the sickness has not troubled her for the last day and 'night and those dreadful cramps have left her and I trust they 'will not return. She is very delicate but if the sickness does 'not return she will soon gain strength.

'The boys are all well They have had valentines and poor 'Lizzie has had one. Yesterday was Charlies birth day, but it 'passed off quietly. . . . . .

'I left my two rings and the watch in a small box in one of the 'trays of the wardrobe. Will you take them out and lock them 'up in your dressing case or any other secure place. The small 'hand is with the watch do not lose it and do not wear the ring 'but put them all away safely. My brooch the cameo one is also 'on the table take care of it. Tell your Grand papa that Mamma 'is a little better . . . . . .
'Tell the Dr your Mamma is a little improved.'

———

No. 21

(13) From letter, Mr Michael Taylor to his wife, the late Mrs Taylor, dated 'Edinbro Feby 24 1865,' and signed 'Michael Taylor.'

'I received your few lines from Fanny and sorry to hear you 'say Mary Jane is in an unsatisfactory way. I hope please God 'she is better—as you said she had taken something to eat which 'did not come back. Please do write me to-morrow in time so 'that I get the letter either at 3 or 8 o'C. If I do not cannot 'hear till Monday . . . . . .
'You do not say what is the matter if fever or what.'

———

No. 41

(14) From letter, Mrs Taylor to Miss Pritchard, commencing 'Friday evening,' and ending 'yours ever J. Taylor.'

---

(12) Date not shown, but very likely Miss Pritchard will be able to give date of her brother Charles' birthday, by which the date of letter will be fixed. See last paragraph. Very likely written on Friday, the 17th February.

(14) This is one of the letters written by Mrs. Taylor on the night before her death. Miss Kennedy has been seen, and she never received the letter referred to in the first paragraph hereof.

Appendix V.

'I have written to Miss Kennedy by this post saying that you 'will be with her on Monday morning and will remain with her 'till my return home . . . . . .
'You are to go on Monday and remain there until I return You 'are not to go home on Saturday but be with her altogether which 'will be better for you and more satisfactory to me I am sorry 'your dear Mamma's continued illness renders this necessary but 'I hope it will not be long She is still very ill and I am far from 'well therefore you must do all you can to soothe by your good 'conduct and attention our sufferings.'

———

No. 48

(15) From letter, Dr Pritchard to Mr Michael Taylor, dated 'Glasgow Monday,' and signed 'affectionately yours Edward.'

'Mary Jane has been better this afternoon. Many friends are 'calling since appearance in Herald. They were short of room 'and curtailed others besides. P.S. Be sure and get the 'servant Margaret a full suit of Mourning (Everything)
E.W.P.'

———

No. 44

(16) From letter Dr Pritchard to Mr Michael Taylor, dated 'Glasgow 3. 3. 65,' and signed 'Edward.'

'I am glad to say the boys and self got over all right—nothing 'to pay for them. We found dear Mary Jane had been very sick 'between 2 and 3 o clock. Mrs Griffin sat with her and paid 'great attention. My friend Profr. Dr Paterson had prescribed 'for her and considers her still in a precarious condition—requiring 'the very greatest skill and best of nursing.

'No sleep came to her longing wish last night—and oft she 'woke me—to know why no slumber came.

'This is very trying to her and more heart rending to me.'

———

No. 45

(17) From letter Dr Pritchard to Mr Michael Taylor, dated "Glasgow 6 March 1865,' and signed 'Edward.'

'Mary Jane has had no sleep—still I am in great hopes she is 'somewhat better otherwise not being so sick and feeling more 'strength.

'I have her on the sofa in the Drawing Room. The Miss 'Lairds went to Liverpool on Saturday morning. Many kind 'friends are calling and making inquiries . . . . . .
'We miss dear grandma and can scarcely believe she is no more— 'Kiss dear Fa. Fa. take care of Kenny and remember me to '"Mary." I dont know why she received me so coldly when 'over for I had a high sense of her as a sister-in-law. alas how 'things change—nevertheless give her and Michael my best love.'

---

(15) This very likely written on Monday, 27th February

Dr. Pritchard.

No. 46

(18) From letter Dr Pritchard to Mr. M. Taylor, headed 'Glasgow,' and ending 'Edward 8th March 1865.'

'Dear Mary Jane progresses slowly towards convalescence—'still very fickle in her appetite—requesting something and when 'it is brought unable to take it.'

———

No. 47

(19) From letter Dr Pritchard to Mr Michael Taylor, dated 'Glasgow 9th-3-65,' and signed 'your affectionate Son-in-law in 'much grief Edward.'

'I am very much fatigued with being up at night with dear '"Mary Jane," who was very much worse yesterday and passed a 'wretched night. Wednesday has been a periodic day with her 'during this illness and she always dreads it—Her prostration is 'extreme and appetite quite failed—Dr Paterson has recommend 'Dublin Stout, and some very simple medicine.

'I am glad she seems to like it and tho' very depressed bears up 'with a good heart.'—

———

No. 49

(20) From letter Dr Pritchard to Mr Michael Taylor, dated 'Glasgow 13th.3.65,' and signed 'Your affectionate Son-in-law 'Edward.'

'Dear "Mary Jane" has had two very bad nights—complains 'greatly—and seems to lose spirits—Yesterday was a long dull day. 'I got her into the Drawing Room and the moving her seems to 'make her worse. Perfect repose and no noise is what agrees 'with her best.

'It will be quite impossible to convey her to Penrith for some 'time.

'Mary must make arrangements without regard to accompanying her.

'As soon as we are able I will take her myself to Michael's—'only too happy to accomplish it.'

———

No. 39

(21) From letter Dr Pritchard to Miss Pritchard, dated 'Glasgow '13.3.65,' and signed 'E. W. P.'

'I am so sorry to tell you dearest mamma is too weak to write 'to-day and did not like you should have no letter.

'I therefore drop a few lines in a great hurry—Misses Kennedy 'seemed to me very kind and nice homely sort of creatures—They 'will do all they can to make you happy and I will take care to 'mention their names amongst my patients and get them pupils.

(21) The whole letter is here quoted, and it will be observed that the only reference to Mrs. Pritchard is in the opening paragraph.

Appendix V.

'I hope to be over again soon when we will pop in and see you. 'I liked all your companions on a single glance.

'One had very bonny eyes and looked as if she would like to 'clip off my little beard just for the mischief in doing it.

'Learn all you can darling and remember poor dear departed 'Grandma is watching over you. Write soon and be sure say to 'Miss Kennedy I will not forget them. Your Affectionate Parents 'Edward & Mary. P.S. Write to the Dr as often as you can. 'He has been very kind to me. I love him greatly. We dined 'together on Friday. Your welfare is next his heart. All your 'brothers unite in love. Aili Aili is well E. W. P.'

No. 53

(22) From letter Dr Pritchard to Dr Michael W. Taylor, dated 'Glasgow 14th.3.65,' and signed 'Edward W. Pritchard.'

'I am vexed and grieved deeply that dear Mary Jane seems 'making little progress. The only thing in the shape of nourish-'ment which suits her is pure ice and champagne Any other 'more natural food is not retained on the stomach. The last three 'nights have been restless and accompanied with heat and chill— 'with constant nausea and slight headache thirst and cold feet.

'Dr Paterson Professor of Mid Wifery recommends effert.Grand. 'citrate of Magnesia to be given with hyd cum creta. This acted 'too much on the excretions, and she is afraid of purging. Do 'you know anything of the new preparation of Beef? not the 'essence but another form which is said to very good. We have 'made enquiries here but it does not appear obtainable. . . '. . . . . if you can think or offer any course to 'adopt in Minnies treatment pray write as soon as convenient.'

No. 50

(23) From Dr Pritchard to Mr Michael Taylor, dated 'Glasgow '15.3.65,' and signed 'your affectionate son-in-law Edward.'

'We are all in grief at Minnies wretched nights—no sleep and 'the sickness has been worse yesterday and today.

'If you have any Champagne or Port Wine bring over a little— 'she fancys it—it is the only thing that supports her . . . '. . . . . 'I wrote "Michael" yesterday about "Mary Janes" state.'

APPENDIX VI.

TELEGRAPHIC MESSAGES RELATING TO THE DEATH OF MRS. TAYLOR.

No. 76

Received 1.5
Finished 1.23 AM } Date 25/2/186

Richard King 131 Sauchiehall Street to Dr Cowan, Northern Club, George Street, or 36 George Street, Edinburgh.

Mrs Taylor dangerously ill—come over directly.
(signed) RICHARD KING.

No. 77

Received 1.5
Finished 1.20 AM } Date Feby 25.186

Richard King, 131 Sauchiehall Street, to Mr Taylor, 1 Lauder Road Grange, Edinburgh

Mrs. Taylor dangerously ill. Mr Taylor required immediately.
(signed) RICHARD KING.

No. 78

Received 1.40
Finished 1.51 } Date 25/21/86

Dr Pritchard, 131 Sauchiehall Street, Glasgow, to Dr Cowan, 36 George Street, Edinbro'.

Died here Mrs Taylor—25 Feby
(signed) E. W. PRITCHARD, MD.

No. 79

Received 1.40
Finished 1.49 AM } Date 25/2/1865

Dr Pritchard, 131 Sauchiehall Street, Glasgow, to Mr Taylor, 1 Lauder Road, Grange, Edinbro'.

Died here Mrs Taylor—25 Feby
(signed) E. W. PRITCHARD, MD.

No. 148

Received 5.0 pm
Finished 5.2 pm } Date Feby 26, 1865

Dr. James Moffat Cowan, Northern Club, Edinburgh, to Dr. Pritchard, 131 Sauchiehall Street, Glasgow

No will; Search body & clothes Plain Hearse & one coach at Station here. Telegraph the hour immediately. Funeral Thursday. (Signed) JAS M. COWAN.

APPENDIX VII.

CERTIFICATES OF DEATHS OF MRS. TAYLOR AND MRS. PRITCHARD.

EXTRACT ENTRY OF DEATH, IN TERMS OF 17° & 18° VICTORIÆ, CAP. 80, §§ 56 & 58.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No.	Name and Surname. Rank or Profession, and whether Single, Married, or Widowed.	When and Where Died.	Sex.	Age.	Name, Surname, and Rank or Profession of Father. Name and Maiden Surname of Mother.	Cause of Death, Duration of Disease, and Medical Attendant by whom certified.	Signature and Qualification of Informant, and Residence, if out of the House in which the Death occurred.	When and Where Registered, and Signature of Registrar.
109	Jane Taylor. Married to Michael Taylor, Merchant.	1865, February Twenty-fifth. 1 h. 0m. a.m. 131 Sauchiehall Street, Glasgow, usual residence 1 Lauder Road, Grange, Edinburgh.	F.	70 years.	Thomas Cowan, Flesher (Master) (deceased). Catherine Cowan M. S. Moffat (deceased).	Paralysis, 12 hours. Apoplexy, 1 hour. As Cert. by Edward William Pritchard, M.D.M.R.C.S.E.	(Signed) Michael Taylor, Husband, 1 Lauder Road, Grange, Edinbro'.	1865. February 25th. At Glasgow. (Signed) James Struthers, Registrar.

Extracted by me from the Register Book of Deaths, for the District of Blythswood, in the Burgh of Glasgow, this Seventh day of April, 1865. } JAMES STRUTHERS, *Registrar.*

EXTRACT ENTRY OF DEATH, IN TERMS OF 17° & 18° VICTORIÆ, CAP. 80, §§ 56 & 58.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No.	Name and Surname. — Rank or Profession, and whether Single, Married, or Widowed.	When and Where Died.	Sex.	Age.	Name, Surname, and Rank or Profession of Father. — Name and Maiden Surname of Mother.	Cause of Death, Duration of Disease, and Medical Attendant by whom certified.	Signature and Qualification of Informant, and Residence, if out of the House in which the Death occurred.	When and Where Registered, and Signature of Registrar.
156	Mary Jane Pritchard. Married to Edward William Pritchard, M.D.	1865, March Eighteenth. 1 h. 0 m. a.m. 131 Sauchiehall Street, Glasgow.	F.	39 years.	Michael Taylor, Merchant. Jane Taylor M. S. Cowan (deceased).	Gastric Fever. Two Months. As Cert. by Edward William Pritchard, M.D.M.R.C.S.E.	(Signed) Edward William Pritchard. Husband. Present.	1865. March 20th. At Glasgow. (Signed) Gavin Buchanan, Assistant Registrar. (Initialed) J.S.

Extracted by me from the Register Book of Deaths, for the District of Blythswood, in the Burgh of Glasgow, this Seventh day of April, 1865. } JAMES STRUTHERS, *Registrar.*

Dr. Pritchard.

Appendix VIII.

APPENDIX VIII.

THE CONFESSIONS OF DR. PRITCHARD.

I.

During the period which elapsed between his conviction and execution the prisoner wrote out no less than three separate confessions of his guilt, of which only the two last were communicated by the authorities to the press for publication. In the first confession, which he made verbally to Rev. R. S. Oldham, incumbent of St. Mary's Episcopal Church, Renfield Street, Glasgow—of which Dr. Pritchard had been a member—and subsequently committed to writing, he admitted that he had murdered his wife by means of an overdose of chloroform: but added that Mary M'Leod was present at the time, and was aware of the fact. He also stated that she was aware (1) that her mistress was being poisoned; and (2) that the food which she was carrying to her chamber contained poison. It was, however, believed by those who had access to the prisoner that this confession, so far as his unfortunate victim, Mary M'Leod, was concerned, was utterly false; and it was therefore deemed prudent to withhold it from the public, in the expectation that he would either withdraw or amend it. In this, fortunately, they were not mistaken; and the two following confessions, while in many other respects unsatisfactory, at least clear the wretched girl of that infamous imputation.

II.

I, Edward William Pritchard, M.D., M.R.C.S.E., and L.A.S., &c., hereby make in writing, in the presence of the Rev. R. S. Oldham, M.A., the following confession, for transmission by him to the proper authorities:—

It was when my wife was at Ardentinny*, in the summer of 1863, that I first became intimate with the girl Mary M'Leod, sleeping with her in my house, 22 Royal Crescent. This continued at intervals up to the time of our removal to 131 Sauchiehall Street. She became pregnant in May last [year,] and with her own consent I produced a miscarriage. I have reason to believe that Mrs. Pritchard was quite aware of this, and rather sought to cover my wickedness and folly. My mother-in-law, Mrs. Taylor, came last February to our house, and caught Mary M'Leod and myself in the consulting-room; and the day before her death, having apparently watched us, she said to me in the same room—"You have locked her into a cupboard," which was true, but nothing more passed. I declare Mrs. Taylor to have died in the manner I have before stated, and I now believe her death to have been caused by an overdose of Battley's Solution of Opium. The aconite found in that bottle was put in by me *after her death*, and designedly left there, in order to prove death by misadventure in case any inquiry should take place. Mrs. Pritchard was much better immediately after her mother's death,

* By a supplementary writing, the convict afterwards desired this name to be altered to Kilmun.

but subsequently became exhausted from want of sleep. I accounted for this by the shock produced by her mother's death; and, hardly knowing how to act, at her own earnest request I gave her chloroform. It was about midnight, Mary M'Leod was in the room, and in an evil moment (besides being somewhat excited by whisky) I yielded to the temptation to give her sufficient to cause death, *which I did*.

I therefore declare, before God, as a dying man, and in the presence of my spiritual adviser, that I am innocent of the crime of murder so far as Mrs. Taylor is concerned, but acknowledge myself guilty of the adultery with Mary M'Leod and the murder of my wife.

I feel now as though I had been living in a species of madness since my connection with Mary M'Leod, and I declare my solemn repentance of my crime, earnestly praying that I may obtain Divine forgiveness before I suffer the penalty of the law.

EDWARD WILLIAM PRITCHARD.

John Stirling, Gr., witness.
R. S. Oldham, witness.
John Mutrie, witness.

North Prison, Glasgow,
July 11, 1865.

III.

CONFESSION BY EDWARD WILLIAM PRITCHARD, M.D., made in the presence of an all-seeing God, and of the Rev. J. Watson Reid, my present spiritual adviser, on this the 19th day of July, 1865, at Glasgow Prison, for communication to the proper authorities:—

I, Edward William Pritchard, in the full possession of all my senses, and understanding the awful position in which I am placed, do make a free and full confession that the sentence pronounced upon me is just; that I am guilty of the death of my mother-in-law, Mrs. Taylor, and of my wife, Mary Jane Pritchard; and that I can assign no motive for the conduct which actuated me, beyond a species of "terrible madness" and the use of "ardent spirits." I hereby freely and fully state that the confession made to the Rev. R. S. Oldham, on the 11th of this month, was not true; and I hereby confess that I alone, not Mary M'Leod, poisoned my wife in the way brought out in the evidence at my trial. Mrs. Taylor's death was caused according to the wording of the indictment. I further state to be true the main facts brought out at my trial. I hereby fully acknowledge, and now plead, wholly and solely, "Guilty" thereto—and may God have mercy on my soul. I pray earnestly for "repentance, not to be repented of," and for forgiveness from Almighty God, through the intercession of our blessed Redeemer, Mediator, and Advocate, Jesus Christ, our Lord and Saviour. Fellow-creatures—Pray for me; and let me add, "I am in charity with all men." I have now to record my humble thanks to all who have taken part, in any way, for my interest—first, to their lordships, the judges, for their great patience, forbearance, and careful consideration of my case, and the gentlemen of the jury, and to all the officials. I cannot help mentioning the clerk of the High Court of Justiciary; the Governor (Mr. Smith) of Edinburgh Jail; the chaplain, Rev. Mr. Russell; the head warder, Neilson; the warders, John Livingstone and Mackintosh; the Governor of

Appendix IX.

Glasgow Prison, Mr. Stirling; Mr. Armour (head warder); the chaplain, Mr. Doran; his assistants, Messrs. Hogg and Troup; the warders, Mutrie, Thompson, &c.; to Drs. Leishman and Dewar, surgeons to the Glasgow Prison; and Dr. Simpson, of Edinburgh Jail. To unofficials, my heartfelt thanks are specially due to Rev. Dr. Millar, of Free St. Matthew's, Glasgow, and other ministers who have written me, not adding their names; to Dr. Macleod (may God bless him); and to my own immediate faith-professors, the Rev. R. S. Oldham and the Rev. J. Watson Reid; to the police authorities, Captain M'Call, and the police at the Central Office, Glasgow; to Sergeant Stewart, of the Edinburgh police force; and the sheriff-officers Wilson, of Glasgow, and Ferguson, of Edinburgh; and to many others whose courtesy and kindness I cannot forget. Above all, to Sir Archibald Alison, Bart., Sheriff, &c., for his humane and his gentle treatment while undergoing his legal duties. May each and all accept the thanks of a deeply penitent sinner, and may Heaven be their reward, is the last prayer of

EDWARD WILLIAM PRITCHARD.

John Stirling, Governor, witness.
Edward Geary, warder, witness.
John Mutrie, warder, witness.

APPENDIX IX.

DR. PRITCHARD'S QUALIFICATIONS, APPOINTMENTS, AND PUBLISHED WORKS.

(FROM THE "MEDICAL DIRECTORY, 1865.")

M.D. Erlang. 1857; M.R.C.S. Eng. 1846; L.S.A. 1858; (King's Coll. Lond., and Paris); Corr. Mem. King's Coll. Med. Soc.; Fell. Obst. Soc.; Hon. Loc. Sec. Med. Benev. Coll.; Mem. Syd. Soc. Philos. Soc., Glasg. Geolog. Soc., Archæol. Soc., Social Sci. Soc., and Brit. Med. Assoc.; Hon. Pres. Clifton Soc. Glasg.; Med. Exam. in Physiol. Soc. of Arts, Glasg. Athenæum; Med. Ref. Brit. Equit., Lond. and Yorksh., World, Glasg., and Accidental Death Assur. Cos.; late Asst.-Surg. R.N.

Author of "Longevity," "Normal Sleep," and "Chorea" (papers read before King's Coll. Med. Soc. 1844-46); "Visit to Pitcairn Island," "Observations on Filey as a Watering-place," 1853; "The Guide to Filey," 1856; "Antiquities of Filey," "Coast Lodgings for the Poor of Cities."

Contrib. "On the Guaco Plant," *Med. Times Gaz.*, 1852; "Piper Methysticum, a Remedy in Gout," *ibid.* 1855; "Tobacco, its Use and Abuse," *ibid.* 1860; "Cure of Cancer," *ibid.* 1850; "Lecture on Egypt and its Climate," *Lancet*, 1860; "Champagne in Diphtheria," *ibid.* 1861; "Tincture of Guaco in Gout," *Pharmaceut. Journ.*, 1861, and *Lancet*, 1862; "Tonic Properties of Guaco," *ibid.*; "Sea-tangle Tents, or 'Laminaria digitala,' to procure Abortion in Deformed Women," *Trans. Obst. Soc.*, 1863; and other papers.

Dr. Pritchard.

APPENDIX X.

NOTES ON THE PHRENOLOGICAL DEVELOPMENT OF DR. PRITCHARD, BY J. W. JACKSON, F.A.S.L., AND MEMBER OF THE PHRENOLOGICAL SOCIETY OF EDINBURGH.

HAVING been kindly favoured by Mr. Stewart, curator of the Phrenological Museum at Edinburgh, with an inspection of the cast of Dr. Pritchard, which he has just taken, and obviously with his usual care and accuracy, we may give the following as the conclusions arrived at from this our comparatively cursory survey:—The cranium is of only average volume, as will be at once seen from the following measurement:—Circumference over the superciliary ridge, 22½ inches; from the occipital process to individuality, 14⅝ inches; from ear to ear, 14¾ inches. But it should be remembered that the temperament was eminently nervous, and the entire structure unmistakably indicative of delicacy and refinement. As an accompaniment of this, the tables are thin and the brain of a very superior quality, and consequently capable of manifesting considerable force when fully aroused. Still the general impression conveyed to a practised phrenological manipulation is the absence of extraordinary power. The general type is feminine—obviously an organisation pre-eminently susceptible to the influence of circumstances. The basilar region is of only average development. Its strength lies in amativeness and secretiveness, which dominate combativeness and destructiveness, although the latter is full. It is in the sphere of the affections that the speciality of the character is most strikingly manifested. Adhesiveness is very powerful, and by those who regard 20 as their maximum would be put down at 19, while the love of approbation is enormous. The desire to please must have been the ruling passion. Vanity in such a case would be ostentatious and ridiculous. Now, when it is considered that the foregoing qualities were united to very moderate conscientiousness and rather powerful benevolence, it becomes obvious that we have the elements of a rather peculiar character. Such a man, reared as a gentleman, would infallibly be distinguished by the *suaviter in modo*. He would be kindness personified in his manner. To a keen observer, he might occasionally over-act his part. Among a grave and reticent people he would be regarded as garrulous, and even trifling. He would not be distinguished by strict veracity—his great object being to make an *impression*. Nevertheless, in the bosom of his family he would be kind and amiable, and would manifest this genial tendency, not only in words and actions, but also in looks and tones. Under favourable circumstances he would make an indulgent father and a good husband, but he could not be depended on in the latter capacity. His adhesiveness, combined with his amativeness and ideality, and being reinforced by his constitutional susceptibility, would render him too liable to new impressions. Eminently qualified by beauty of person, and by a certain ease and grace of manner, withal by a perennially youthful dash and bravado, to act on the tender susceptibilities of the gentler sex, he was almost equally fitted to be acted upon by them. He could not settle down. What at first appears surprising, he had considerable caution. But when this is united to a low conscientiousness, and when

Dr. Pritchard.

consequently it is so much nearer to secretiveness, it often partakes of the character of the latter, and so eventuates in low cunning rather than judicious forethought. Self-esteem is well developed, but is, nevertheless, so dominated by approbativeness, that, except on rare occasions, it could not conduce to a true sense of dignity. Nevertheless this, together with considerable firmness, bore him up through the trying ordeal of his incarceration, trial, and execution. During those terrible scenes he, of course, felt that he was under the public eye, and hence bore himself as bravely and as calmly as he could. In other words, speaking phrenologically, his love of approbation co-operated with and reinforced his firmness and self-esteem, and produced a manifestation of almost heroic endurance that astonished none more than those who knew his habitual vanity and flippancy in ordinary life. His benevolence was the strongest of all his moral sentiments. In a sense he could be generous before he was just. He could be kind in manner even when undutiful in act. Remember that he was pitiably wanting in that fundamental element of rectitude—a sense of truth and justice. To a being so constituted no amount of benevolence is an adequate safeguard in the hour of temptation. The phrenologist scarcely needs to be reminded that benevolence is not a *governing* principle. His veneration, though not equal to his benevolence, was effectually developed, especially in its *anterior* portion, abutting on benevolence, and at the farthest remove from conscientiousness. If we may be allowed without irreverence to speculate on the inner consciousness of this unhappy criminal, we would say that in his apprehension of the divine attributes, he habitually dwelt on that of mercy, at times almost to the exclusion of justice, having ever, to more severely and nobly constituted minds, a rather feeble conception of the terrible extent to which he had offended the latter.

The anterior lobe, the seat of the intellectual faculties, must, judging by the cast, have undergone considerable diminution during his incarceration. The forehead is neither so lofty nor so expanded as it appeared during life—we mean his public life as a lecturer. Here, indeed, is a source of error to which we are always exposed in the case of *post-mortem* casts after long indisposition or prolonged incarceration, and for which phrenologists themselves have not yet made sufficient allowance. The perceptive faculties are very firmly developed, and are in perfect combination with the features, more especially as they appeared in happier days. He must have had an artist's eye for the beautiful. Travelling, doubtless, afforded him intense delight. It is a pity that he did not continue to travel by sea or by land—it might have kept him out of dire mischief. He was sadly deficient in the superior region of the reflective faculties. He might have been an artist, or perhaps even a poet; but he never could have been a man of science. Let it be distinctly understood, however, that the radical defect of his nature was not in the faculties but in the principles. The deficiency in the latter, reacted on by unbridled passions, ultimately carried chaos into the former. He began by not observing very distinctly the difference between right and wrong, and he ended by palpable inability to trace operating causes out into their inevitable effects. This is that "judicial blindness" which has been so often noticed towards the termination of a criminal career.

APPENDIX XI.

Alleged Autobiographical Sketch of Dr. Pritchard.

(From the "North British Daily Mail.")

The following sketch of the most eventful portion of Dr. Pritchard's career was dictated by him during his sojourn in prison, previous to taking his trial. It will be observed that the grammatical construction of many of the sentences is defective, and the sense confused; but it must be remembered that the statement was not intended for publication, and that the words of the prisoner were noted down exactly as they fell from his lips:—

When attached to Her Majesty's ship "Victory," lying at Portsmouth Harbour, being then a medical officer in Her Majesty's navy, I met the late Dr. D. Cowan, surgeon in ordinary to His late Majesty King William IV., and for many years surgeon in the Royal Navy, and retired superintendent-surgeon of Portsmouth dockyard, to whom I was known for a good many years. I frequently visited him. It was in his house I met Mary Jane Taylor, his niece, who afterwards became Mrs. Pritchard. We were married on 19th September, 1850. She was then acting as his housekeeper, which was at No. 10 South Sea, he being a widower. It was during that summer, a short time before I was married, that I met Mrs. Taylor, although Miss Taylor had been casually known to me from boyhood. Through the influence of her uncle, Mr. David Cowan, and Admiral Milne, one of the Lords of Admiralty, I had my appointment cancelled, which was to have gone out and joined Her Majesty's ship "Asia," flagship of Admiral Hornby, Pacific station, as a supernumerary medical officer, and was appointed to the home station, and shortly afterwards joined Her Majesty's steamer "Hecate," when this vessel was in the Tyne. My wife's father, M. Taylor, Esq., visited me, and pointed out an eligible practice near Scarborough, in Yorkshire, which had been recommended to him by Dr. Dunsmure, in Edinburgh. I obtained leave, and shortly afterwards purchased the said practice, which was situated at Hunmanby, half-way between Scarborough and Bridlington, and within three miles of Filey, all watering-places. During this Mrs. Pritchard remained with her uncle, and about the spring of 1851 I took her down to Hunmanby, and succeeded to a Mr. Haggard's practice there, who was medical officer to the poor law district of the Union of Bridlington, and several other appointments, all of which I succeeded to. About three years afterwards I opened a branch establishment at Filey, which was a rising watering-place. During this time I published a "Guide to Filey," and eventually took a house and resided there during the summer season. Owing to the large practice I had I was obliged to keep an assistant. Mrs. Pritchard's health was not so good from an old complaint of her eyes, and some time after the birth of our eldest daughter, I sent Mrs. Pritchard to Edinburgh for change of air, where she remained for three months, and got much better. During these years Mrs. Taylor visited us at Filey, and Mrs. Pritchard visited the Taylor family frequently. During the last two or three years'

residence at Filey Mrs. Pritchard's health was not good. She occasionally rode on horseback and accompanied me along the sands; but the want of society and a general desire to be near her mother, and with the design to give our children the benefit of a town education, I agreed to her solicitations to remove to Glasgow. Before leaving, however, I sold my practice to a medical gentleman, at the rate of one year's purchase, which would be about from £600 to £800; but I only got £400, there being a difference between the gentleman that purchased it and I. I gave the gentleman who purchased my practice a twelvemonths' introduction. In the autumn of 1859 I was very ill, and came down to Edinburgh, and lived in the house of my mother-in-law, Mrs. Taylor, and, owing to her kind treatment, I soon got better, and with her advice, and with the advice of my wife and my friend, Dr. Cowan, of Edinburgh, I accompanied an invalid gentleman to Egypt, a patient of Sir J. Y. Simpson, of Edinburgh. I would be away about eight months. It was in the month of June, 1860, that I arrived home, and found Mrs. Pritchard with her mother in Edinburgh, and she was shortly afterwards confined of our youngest daughter; and soon afterwards I came to Glasgow, and, by the advice of Mr. Taylor, my father-in-law, I took a house in Berkeley Terrace, and commenced to practise. Mrs. Pritchard's health was very good for some time after she came to Glasgow, and she thought Glasgow would agree with her well. I remained in the house at Berkeley Terrace till May, 1863, and was making a fair, steady progress in my profession. Mrs. Pritchard was complaining in the spring of 1862, owing to her having had a miscarriage, and was for some time very weak and powerless after it. I recommended her to go to the Bridge of Allan with her mother for change of air, and she returned after an absence, much improved in health. We removed in the same spring of 1863, in consequence of the fire, to 22 Royal Crescent, which I only intended as a temporary residence, and my practice still continued to steadily increase. On or about February, 1864, I negotiated for my house in Sauchiehall Street, which I purchased at £2000 from Dr. Corbett, who emigrated to New Zealand, independent of my practice whatever. My practice increased greatly after I removed to that house in Sauchiehall Street. Shortly before going there, Mrs. Pritchard complained of illness, feeling weary, and a great disinclination to outdoor exercise, visiting, &c. I insisted on her going to the Bridge of Allan, but had considerable difficulty in overcoming her opposition to my wishes. She eventually went, and remained some time with her mother and my eldest daughter, who met her there. She continued in very indifferent health at Bridge of Allan, where she would be for about six weeks, and after she returned to Glasgow she rather got a little better. She often complained of headache and weariness, and towards the autumn (October) the glands in her neck became enlarged, and she again suffered another miscarriage, but did not seem to suffer the usual weakness accompanying this. She became alarmed, by flushes of heat and redness of her face and eyes, that abscesses might form on her neck. This was about the autumn sacrament. I remember that on or about the sacramental fast-day she had a great desire to be present at the sacrament in Park Church; but she was so much worse that she could not carry out her intention. About the beginning of November I took a Mr. King as a boarder and pupil. I wanted her to go to her mother's in Edinburgh for change of air; but she did not go then, as it would be inconvenient, as Mr. King had just come. At this time I recommended her to

use some antimonial unction to her neck, with a view to check inflammation of the glands in the neck, which she complained of as being very painful. She also took some simple aperient, which was supplied by Mr. Shirran, 160 Sauchiehall Street, after which she got much better. In a few days after, she took a loathing to animal food, and was obliged on several occasions to leave her food, taking very little nourishment. I then persuaded her to go to Edinburgh, where she remained till Christmas. While she was away I was frequently disordered in my own health, suffering from occasional severe vomiting and purging and a great feeling of exhaustion. I attributed this to want of support, and frequently in my own professional rounds I took luncheon. About the same time, or soon after, Mr. Thomas Connell, an articled pupil of mine, complained of similar symptoms, and in consequence of which I sent him home to Helensburgh, after treating him for some time. During Mrs. Pritchard's absence in Edinburgh at this time, I detected Catherine Lattimer giving away to a woman of the name of Smith, who she frequently had to tea with her (which Mrs. Pritchard did not allow), who lived in No. 7 South Frederick Street Lane, articles of food, and in consequence I gave her warning to leave. This was on the 20th of December, and she got three months' warning. I wrote to Mrs. Pritchard and told her what I had done, and she quite approved of it. After a juvenile party which we gave the last week of December—Mrs. Taylor being with us at that time—Mrs. Pritchard complained very much of faintness and sickness, to which I attributed fatigue caused through the party. On or about the second week of January Mrs. Taylor and Fanny went back to Edinburgh, so that Fanny might get back to school, which was in Edinburgh. Mrs. Taylor always took charge of Fanny's education, and in whose charge she had been since an infant. Mrs. Pritchard did not improve in her health at this time, and she suggested quinine, which was got from Murdoch Brothers, which she took to give her an appetite and restore the tone of her stomach; and although not confined to bed, she continued some days better and some days worse till about the beginning of February, when she got much worse. I called in Dr. Gairdner. He saw her, and said there was a considerable amount of gastric irritation, and recommended spare diet, consisting of an egg and rice biscuits, which she had. She was much relieved next day from sickness, but complained of the insufficient supply of nourishment. Dr. Gairdner saw her several times, and although free from sickness, she still felt losing strength, and he omitting to see her when he went to Dundee, she had an idea that he was too long away. I wrote to Dr. Cowan, who suggested the use of champagne and ice—as she had been formerly getting—which improved her a good deal. Her mother arrived about this time, which I thought conduced still more to revive and restore her. The propriety of her removal to Edinburgh, or her brother's at Penrith, was talked of between us, when she said she was too weak to be removed at present. Mrs. Taylor at this time looked as if she enjoyed perfect health. Our first conversation was as to the desirability of having a nurse for Mrs. Pritchard; but Mrs. Taylor said she would nurse her, and continued to do so. A week after this Mrs. Taylor complained to Mrs. Pritchard of a bowel complaint. I then urged upon my wife the necessity of getting a nurse. It was not an uncommon thing for Mrs. Taylor to complain of her bowels, as an operation had been successfully performed upon her for hæmorrhoids by Professor Syme, of

Edinburgh; therefore no notice was taken of it at that time. I believe it was on this occasion that Mrs. Taylor, Mrs. Pritchard, and myself had some conversation about Catherine leaving, when Mrs. Taylor suggested that old people were sometimes very spiteful—did I think any unfair means would be used? I repelled the idea at once; but Mrs. Pritchard alluded to my own frequent indisposition, particularly mentioning a severe diarrhœa and sickness, which I, indeed, was more or less suffering from at this time, and on more than one occasion had been obliged, when visiting my patients, to ask for wine, which I was not in the habit of doing. Mrs. Taylor changed everything on this occasion, going out and purchasing spirits, ales, and other articles of food, such as fowls, chickens, &c., and cooking them upstairs in the bedroom. She was carrying on this plan when she died.

Dr. Taylor, on the occasion of his mother's death, visited us and saw his sister, who received a great shock when her mother died, and expressed the greatest fears that she would never survive it; indeed, she took leave of my eldest boy, Charles, telling him to be good to his brothers and sisters. I urged upon her still more the necessity of getting a nurse, but a strong antipathy to the subject overthrew my suggestion, and she really seemed to have taken the turn for the better. I continued as much as my practice would allow beside her that day. When I returned from Edinburgh from the funeral of her mother, I found she had suffered most intensely from vomiting and purging. A friend of hers, Mrs. Griffen, had been with her to cheer her over the funeral hour, being then able to be in the drawing-room. Dr. Paterson had also seen her that day at my request. She asked if she might have some ice-cream, to which I acceded, and Mrs. Lattimer obtained it, who came every day to take out the youngest child for an airing, not yet having left the town, and who seemed greatly affected at the death of Mrs. Taylor. On the Wednesday before Mrs. Pritchard's death, I ventured to spend an evening with Mr. John Jex Long, of Whitevale, more with the object of giving my wife confidence in her recovery. I met Dr. Paterson on the street (Wednesday, I think), in the Woodlands Road; he strongly recommended the use of the citrate of magnesia, mercury or grey powder, which she had. The want of sleep at this time annoyed her greatly; and, at her own suggestion, she used atropine, a preparation of belladonna, of which she had experience when suffering from her eyes; it gave her ten minutes' sleep, during which time she described she had seen her mother beckoning to her to come, saying that she smiled sweetly. From this time she appeared confident that she would die. On the Friday evening, at eight o'clock, I called upon, and saw, Dr. Paterson, who came with me and stayed some time. His opinion was that sleep must be obtained, and recommended two draughts, which were procured from the Apothecaries' Hall, Elmbank Street, which she had. She expressed a conviction at the time, after taking it, that it was not strong enough, or words to that effect. About ten o'clock I again saw her, when she asked for some of her mother's drops, which was refused her. I afterwards went downstairs and had supper, and returned soon after and sat by her side, and she insisted on my going to bed, and she would try and sleep. To satisfy her, immediately when I came in I went to bed, and from my wearied state I soon fell asleep. I was awakened by her tugging at my beard, calling "Edward, help me into bed." I found her quite cold, and she complained of faintness. I rang the bell violently, and one of the servants came, and I ordered a

mustard plaster for her, and she turned round and said that mustard plasters or my skill either were of no use to her now. She swooned away soon after, and died.

[*Note.*—With reference to the foregoing sketch, the publication of which was announced prior to the execution, the prisoner is said to have denied to the Rev. Dr. Macleod, his spiritual adviser, that he had written any such document. It is understood, however, to have been composed from notes taken by a clerk of one of the prisoner's agents during conversations held with him in jail before his trial. While, of course, of no value so far as it relates to the circumstances of the murders—being in that regard merely an expansion of the false statements previously made in his declarations—it contains much interesting matter, otherwise corroborated; and it is difficult to believe that the information it contains was not derived from its unfortunate subject.—Ed.]

APPENDIX XII.

Dr. Palmer and Dr. Pritchard—A Comparison.

(From the "Glasgow Evening Citizen.")

These men were both well-educated members of the medical profession. The poisons which they made use of were the same in many respects, inasmuch as antimony was used by both, followed up by vegetable poisons of a more subtle nature—strychnine being employed by Palmer and aconite by Pritchard. Both of these poisoners sacrificed several victims. It has been pretty well ascertained that about fourteen persons died by the instrumentality of Palmer. There is room to fear that the double murder of which Pritchard was found guilty is not the whole catalogue of his fatal deeds. The murders by these two wretches were chiefly of near relations, and, curiously enough, both destroyed their wives and their wives' mothers; and Palmer, besides, is believed to have been accessory to the death of his brother, several illegitimate children, and at least one miserable victim of his seduction.

The psychological peculiarities of these miscreants also admits of a parallel. They had both good *personnel*, and many of the graces that mark a gentleman; generous in civil and social life, and amiable and even beloved in private. Palmer's face and features indicated no ferocity, and nothing abhorrent ever appeared until his direful deeds were disclosed. It is the same with Pritchard. He has a delicate complexion, pleasant expression of face, and well-chiselled features, which, if denuded of his beard and whiskers, would make him almost womanish in aspect. His manners are gentle and polite. He seems to have been beloved at home, confided in by his wife, and a witness said he was the idol of his mother-in-law. These soft manners and seeming virtues, of course, disarmed their victims of all jealous fears; so much so that, under cover of a good public and private reputation, Palmer and Pritchard for a length of time practised their diabolical arts without being suspected.

In these two villains we trace their entire subjugation to a grand master-passion as the cause of their fall and utter degradation. They were both gross sensualists. The animal had run away with the better nature of the man. The will was subjugated and dragged at the mercy of the dominant passion; and so the imperial and all-absorbing sensuality produced the wildest anarchy, under which were committed acts of atrocity we shudder to contemplate.

The drama of the Pritchard case opened on the 3rd July, and lasted for five days, which were like the five great acts of a terrible tragedy. The disclosures of the plot showed slow, secret, skilful poisoning. The articles were potent, but not dealt out in

> "Such strong-speeding gear,
> As will disperse themselves through all the veins,
> And that the trunk may be discharged of breath
> As violently as hasty powder fir'd
> With hurry from the hasty cannon's mouth."

No; they were diluted and doled out in doses so as not easily to be found in themselves, and so as to obscure the symptoms they produced. But the ingenuity of the law and the science of chemistry have been proved quite adequate to detect these poisons and prevent the escape of the hideous poisoner. Such cases are an Ulysses-bow to try the strength and skill of medico-legal inquirers, and, happily, the result has been most creditable to the medical profession and most satisfactory to the public.

APPENDIX XIII.

Note on the Portraits of Dr. Pritchard.

With reference to the contemporary photographs of Dr. Pritchard, reproductions of which appear in the present volume, the following observations, written at the time of his execution, are of interest:—

"From the photographs of Dr. Pritchard, which have been purchased and scrutinised with eager curiosity, a fair idea is given of the personal appearance of the wretched convict. It gives, of course, no criterion of his height, which was nearly 5 feet 11 inches. His figure, though marred by a slight stoop, was manly and almost athletic. His countenance was attractive, if not altogether pleasant. His features were regular, and his mouth and aquiline nose were almost beautiful. His forehead was decidedly defective, wanting both in breadth and height. Although nearly bald on the front and top of his head, he had a fine beard, which was shaved only about the mouth, and which was almost of a light sandy colour. He was not a man whom the world would have classed among murderers *in posse*, whatever physiologists may determine after study of the brain."

Dr. Pritchard.

APPENDIX XIV.

Dr. Paterson's Letter to the Newspaper Press.

(To the Editor of the "Glasgow Herald.")

Sir,—I should certainly have preferred that I had been spared the necessity of reverting to this painful and melancholy case; but from some very pointed remarks made by the Lord Justice-Clerk in his charge to the jury, and which reflected particularly on myself, I consider I am called on, in justice to my profession and the public in general, to make some remarks; and I shall be obliged if you will kindly indulge me with a space in the columns of your widely circulated paper. I am sorry that my communication must necessarily be a long one; but from the deep interest which the case has excited throughout the whole country, you will perhaps kindly excuse me for intruding upon you, and bear with me while I take you back to that never-to-be-forgotten night of the 24th February, and introduce you to that mournful bedroom, in which were lying on one bed two helpless, unsuspecting females—a mother and a daughter—one of them just dying from foul play (as I suspected), and the other—to my professional eye—being under the continued influence and the depressing effects of antimony. The thoughts which in quick succession thrilled through my mind at the sight before me no one can thoroughly conceive; and it is little to be wondered at that I may have displayed some slight bitterness of feeling when, in the witness-box, I had to stand face to face with the prisoner at the bar, and to connect him with that scene of horror—with those deeds of darkness and of death.

The Lord Justice-Clerk, in commenting on the part that I had acted in this dreadful tragedy, said—"I care not for professional etiquette, for professional rule. There is a rule of life, and a consideration which is higher than rule, and that is the duty which every citizen of this country—which every right-minded man—owes to his neighbour to prevent the destruction of human life, and in that duty I cannot say but that Dr. Paterson failed."

His lordship may pardon me for returning to him the compliment, when I tell him that, as a distinguished officer of justice under the British Crown, as an impartial judge upon the bench, he most signally failed in doing his bounden duty to me, in keeping back part of my evidence on this point, and laying the fault, the gross carelessness, of the registrar on my shoulders, and holding me out as to a great extent responsible for not trying to prevent the destruction of human life, when the blame in this case lay entirely upon the district registrar! Permit me to place before you part of my evidence on this point. When cross-examined by Mr. Andrew Rutherfurd Clark, I was asked if I had done nothing to try and save Mrs. Pritchard's life, when I suspected that she was being poisoned. I said I had written to the registrar, directing his attention specially to the subject of Mrs. Taylor's death, and that I had three motives for doing so. Mr. Clark, for reasons best known to himself, said he did not want to hear my motives! But I think it due to myself, and for the satisfaction of the public, that these motives should be made known.

Appendix XIV.

My first motive or object was to do what was in my power to save Mrs. Pritchard's life; second, to guard my professional reputation; and lastly, if possible, to detect the poisoner. To accomplish these ends I at once refused to certify the cause of Mrs. Taylor's death. I at the same time wrote the following letter, which was recited in Court, and which, had it been acted on, as it ought to have been, would in all probability have effected those objects I had in view:—

"6 Windsor Place, 4th March, 1865.

"Dear Sir,—I am surprised that I am called on to certify *the cause of death* in this case. I only saw the person for a few minutes a very short period before her death. She seemed to be under some narcotic, but Dr. Pritchard, who was present from the first moment of the illness until death occurred, and which happened in his own house, may certify the cause. The death was certainly sudden, unexpected, and to me mysterious.—I am, dear Sir, yours faithfully, James Paterson, M.D.

"To Mr. James Struthers, registrar."

How any registrar ventured to destroy such a letter without showing it to the authorities, I am at a loss to understand. Had he done so, as he was bound in duty to do, there would have been a *post-mortem* inspection of Mrs. Taylor's body; and, if so, as I stated in my cross-examination, it is more than probable that the drugging with antimony would have gone no further, and thus poor Mrs. Pritchard's life would have been preserved. Now, this letter has been altogether ignored both by the Solicitor-General and the Lord Justice-Clerk. The registrar was never asked one question about it, further than that he had got it, and was sorry he had destroyed it! Was the ignoring of this letter not intentional on the part of the Crown authorities? To say the least, it does not look well, and it was both unfair and cruel on the part of the Lord Justice-Clerk to blame me in open Court for not having done my duty as a professional man and as a citizen of this country, when both he and the Solicitor-General and the counsel for the defence were perfectly aware, from my first precognitions both for and against the prisoner, that I wrote that letter to the registrar after the mysterious death of Mrs. Taylor, with the express view, and for the express purpose, of scaring the prisoner, and thus arresting him in his diabolical and cursed career of slow poisoning of his unsuspecting and confiding wife. Now, let it be carefully observed that my letter to the registrar was written and sent to him exactly two weeks before the death of poor Mrs. Pritchard. Pray, what is the use of a registrar if, when he receives such a letter as this, he pays no attention to it, but carelessly destroys it, and thinks no more about the matter? How is it that medical men in Scotland are under a penalty if they refuse to certify the death of a patient, when a registrar is thus simply permitted to act with impunity?

Suppose that I had been such an obvious fool as to have acted in the manner suggested by the learned counsel for the prisoner, and also by the Lord Justice-Clerk, I would have been a rash and a bold man, indeed, as sensibly observed by the Solicitor-General. Had I denounced Pritchard to his face, or stated my suspicions to Mrs. Pritchard, or gone to the criminal authorities and informed them of my suspicions, what, I should like to know, would have been my position? Pritchard could have brought forward no less than three medical friends, all *Edinburgh*

graduates, namely, Professor Gairdner, Drs. Cowan and Taylor—not one of whom suspected that Mrs. Pritchard was being poisoned by antimony! Would the diagnosis of a *Glasgow* graduate have been believed for one moment when opposed by such a galaxy of professional talent and experience in consultation? And this, too, at a time when there could be no *post-mortem* examination nor chemical analysis to bear me out in the correctness of my opinion. The immediate consequence would have been most assuredly an action for heavy and ruinous damages! It was all very fine for Mr. Clark to chaff me with being afraid of my purse and afraid of my person—(Heaven knows, my purse is light enough)—when he well knew that he was purposely and designedly misleading the public and the press by subtly making it appear that it was Mrs. Pritchard's death certificate that I had refused to give, and at the same time totally ignoring the fact that it was Mrs. Taylor's, who died three weeks before her daughter, and also wilfully ignoring the fact of my letter to the registrar, in which letter I did all that should have been required for the purpose of saving Mrs. Pritchard's life had the registrar done his duty. Even as it was, after Pritchard's apprehension, but before the analysis was known, the relatives characterised me as a villain, and vowed they would have me banished; and some portion even of the Glasgow press held me forth as a moral coward, a stabber in the dark, and the whole matter was regarded as a cruel piece of malignant professional jealousy!

Perhaps it would have been better for me this day had I been an ignoramus in my profession; had thought, when I saw Mrs. Pritchard, that she was labouring under gastric fever, or been puzzled with her case, or even thought that, in fact, she was drunk, as one of the medical witnesses said he did. Sure,

"Where ignorance is bliss, 'tis folly to be wise."

But I see it all now; and from your editorial to-day, coupled with what I actually observed in Court, it is abundantly evident that there was a most decided bias against everything professional connected with Glasgow, and an apparent feeling that it would never do to promulgate to the world that a Glasgow medical man knew his profession better than the three Edinburgh graduates; and as my diagnosis could not be overturned in any way, and as I was fully borne out both by the history of the case as given by the servants and confirmed by the analysis, something must be done to try to invalidate my evidence, by totally ignoring my letter to the registrar, and making it appear to the public that I stood so much on the dignity and etiquette of my profession that I would do nothing to save the life of a human being whom I suspected of being poisoned! Now, I appeal to my professional brethren throughout the whole country if I have not acted a consistent and conscientious part in this unfortunate and very tragic affair. Let me ask—What medical man would refuse to sign the death certificate of any member of a medical brother's family whom he had seen on their deathbed, unless he suspected foul play or something radically wrong? And if he refused to certify the death, was the refusal not quite sufficient to arouse the registrar's suspicions, even without a letter (such as he received), that there was something materially wrong, and thus caused him to make inquiry, as I fully expected he would? And had he done so, I maintain that Mrs. Pritchard's life would have been saved, and the whole of last week's painful proceedings rendered unnecessary.

Appendix XIV.

I am thankful to Almighty God that I was so seldom in that wretched house. Had I gone back unasked, as the Lord Justice-Clerk and Mr. Andrew Rutherfurd Clark thought I was in duty bound to do, and could Mr. Clark have proved that I had done so, there might have been got up some *sensational statement*, to allege that I was the one who had administered the antimony, when I was so sure, so positive, that it would be found in Mrs. Pritchard's body! May I not assume that the man that could place in the witness-box the poor unfortunate young children of the prisoner at the bar, with the view, no doubt, as he thought, of exciting sympathy in the minds of the jury, might not have scrupled to have availed himself of the possibility of attaching the guilt to any one who had such an opportunity as he might say had then been presented to me; and it might have been alleged that the prisoner at the bar had been made the innocent victim of professional jealousy and spleen!

The appearance of those poor unfortunate children, when they so innocently spoke of the love, friendship, and affection that always existed between their papa, mama, and grandmama, up to the time of the melancholy deaths of the two latter, will never be obliterated from the memory of those jurymen, nor any one who witnessed the heartrending scene; nor will those dear children ever forget the agonising exposure they were thus called upon to make in presence of the one to whom they had hitherto looked up as their loving, doting, and affectionate father, but now standing in that dreadful dock, where he was, in a few hours, to receive that horrid doom that connects him for ever with the list of the greatest criminals that ever disgraced the annals of any civilised country on the face of the globe. The painful exposure, I can assure Mr. Clark, had the very opposite effect of what he expected; and to attempt to show that the parties all lived on the most affectionate and endearing terms only served to increase and aggravate the unmitigated guilt of the wretched prisoner and to expose the more strongly the horrid hypocrisy and depravity of the guilty one. But leaving Mr. Clark, I may be allowed to revert to some important parts of my own evidence, and from this it will be seen that my first visit to Mrs. Pritchard was on the 2nd of March, the day of her mother's funeral, when Pritchard was in Edinburgh. At this visit the suspicions that I formed the night her mother died were still further confirmed, and I considered it my duty the next day—that is the 3rd of March—to consult, in confidence, with one or two of my professional friends, so as to have their assistance and advice as to the nature of the two mysterious cases. I went over the symptoms of both, even more minutely than I did in Court when giving my evidence, and they all came to the same conclusion that I had arrived at, viz., that Mrs. Taylor had been poisoned by opium, and that Mrs. Pritchard was being dosed with antimony. I am in duty bound to say, however, that one of the gentlemen said, from my description, he had suspicions that Mrs. Taylor had been drugged with something more than opium, though the symptoms led most conclusively to the likelihood of opium or morphine. Aconite was at the time suggested, but we had no suspicion of antimony with Mrs. Taylor. Now, the sequel has proved that this surmise was correct, and has been sufficiently verified, and I would honourably mention the names of the medical friends I refer to were it not that the public might fix upon them as the source from which proceeded the anonymous letter sent to the authorities, and which led to the apprehension of Pritchard.

We also consulted as to what steps I should adopt in the trying circumstances in which I was so unpleasantly placed, and it was thought proper that I should refuse the death certificate of Mrs. Taylor, and send the letter which I did to the registrar, and this we considered would be quite sufficient to lead to a judicial investigation of the case. I accordingly wrote my letter as above stated, and sent it by post to the registrar on the morning of the 4th of March. On the evening of Sabbath, the 5th, at nine o'clock, as stated in my evidence, Pritchard called at my house, and told me that his wife was much benefited by the medicines and treatment I had prescribed for her. I told him just to continue the same treatment, and I had no doubt she would soon be all right again. I certainly thought it strange his calling on me at such an unseasonable hour on a Sabbath evening, especially as he had no ostensible reason for doing so; but my impression was that he had got some information from the registrar of my having refused the death certificate of his mother-in-law, and was now scared from his purpose, and that Mrs. Pritchard would be safe; that I had done my duty, as far as I could do with safety and propriety in the circumstances.

I appeal to any unbiassed person, professional or non-professional, if I had not a right to conclude that the registrar had at least shown my letter to Pritchard, especially as there was no movement on the part of the authorities? How could it ever for a single moment enter my mind that the registrar would destroy my important letter, and do nothing in the matter? My conscience tells me that I have done my duty to the very utmost of my power in this very sad and painful case, and if blame or censure is to be attached anywhere, it is to the registrar, and not to me.

Allow the public importance of this matter to be my apology for intruding so long upon your time and space.

I am, Sir, your obedient servant,

JAMES PATERSON, M.D.

6 Windsor Place, 11th July, 1865.

P.S.—In fairness and common justice to myself, I call upon the editors of all those newspapers and public journals who have reported the Pritchard case to give this full insertion, so as to counteract the false and erroneous impressions which have been propagated through their medium that I, as a medical man, stuck so much on the etiquette of my profession that I would do nothing to save the life of a human being whom I suspected of being poisoned; and thus, I trust, I shall yet rise, like the Phœnix, out of my own ashes, from the great conflagration which some of the public journals, I hope and trust in total ignorance, have studiously endeavoured to heap upon me. J. P.

No. 11 Berkeley Terrace, Glasgow, where the fire took place on 5th May, 1863.

Appendix XV.

APPENDIX XV.

An Account of the Fire in No. 11 Berkeley Terrace.

(From the "Glasgow Herald" of 6th May, 1863.)

Lamentable Occurrence—Young Woman Burned to Death.—Yesterday morning a melancholy accident occurred in the residence of Dr. E. W. Pritchard, situated No. 11 Berkeley Terrace, Berkeley Street. The house, which is at the north side of the street, consists of two flats and attics, the servants' sleeping apartment being in the top flat fronting the street. About three o'clock one of the constables stationed in the vicinity of the dwelling observed the glare of fire through the attic window, and immediately proceeded to the front door and rung the bell. The door was opened by Dr. Pritchard, who slept in a bedroom on the second floor, and who had been wakened a few minutes before the bell rung by his two sons, who slept in an adjoining apartment, calling out "Papa, papa." The doctor rose, and, on opening the room door, he was alarmed to find smoke in the lobby; and on proceeding to the room in which his sons slept, he learned that they had been awakened by smoke and the cracking of glass. It was quite apparent then that the house was on fire; and, after leaving his boys in the lobby leading from the street door, he rushed up to the attic flat, pushed open the door of the servants' sleeping-room, and called out "Elizabeth," but received no answer. The apartment was so completely filled with smoke that he could not enter; and on proceeding downstairs for the purpose of raising an alarm, the bell rang, and he admitted the constable. Dr. Pritchard told him that the servant slept on the attic flat, and on proceeding thither, and reaching the door of the apartment, they were unable to proceed farther in consequence of the smoke and flames. The alarm was immediately conveyed to the Anderston Police Office, and then to the central engine station by telegraph, and the brigade was speedily in attendance, and extinguished the flames. On entering the sleeping apartment on the top flat, a sad spectacle presented itself. The poor woman, whose name was Elizabeth M'Girn, was found in bed dead, her body being a charred mass. The bed was placed at the north-west corner of the room, and the body lay at the front of the bed, the head towards the west. The body was lying on its back, the left arm being close by the side, and the right arm appeared to have been in a bent position; but the fire at this part had been so strong that the arm, from the hand to the elbow, was entirely consumed; the head was a charred mass, and the flesh was burned off the breast, the ribs being visible. The limbs of the deceased were comparatively uninjured, in consequence of being protected by stockings and blankets, but the toes, which had not been protected by the blankets, were charred. The fire had evidently broken out at the head of the bed, because at this part of the apartment the floor was burned through, and the joists forming the roof of the drawing-room were considerably charred. The roof of the house, with the exception of a portion at the back, was entirely destroyed. Dr. Pritchard, on returning home about eleven o'clock on Monday evening, observed that the servants'

apartment was lighted. He entered the house, and, contrary to his usual custom, he did not call her to ascertain whether or not he had been wanted. After visiting the apartment in which his boys slept for the purpose of ascertaining if they were comfortable in bed, he retired to rest about twelve o'clock. It is said that the poor girl, who has met such an untimely death, was in the habit of reading in bed; and the supposition is that, after she had fallen asleep, the gas jet, which was close to the head of the bed, had ignited the bed-hangings, and that the deceased had been suffocated by smoke. This is the more apparent from the position in which the body lay, because if the deceased had not been suffocated while asleep, she would have made some attempt to escape, and been found in a different position. The neighbour servant of deceased happened to be out of town with her mistress, and possibly, in her absence, the girl M'Girn had read longer than usual, and fallen asleep without extinguishing the gas. The damage to the dwelling is, we understand, covered by insurance.

APPENDIX XVI.

Execution of Dr. Pritchard.

(From the "Edinburgh Evening Courant," Saturday, 29th July, 1865.)

The South Jail, at which the execution took place, is situated on the north bank of the Clyde and close to Hutcheson Bridge. In front of the building is the Green, and at the north end is Jail Square, into which the Saltmarket, the Bridgegate, and a number of lanes inhabited by the very lowest classes of the population converge. The portion of the Green immediately opposite the Jail was, during the Fair and up till Thursday, covered with stands, shows, shooting booths, &c.; but by order of the magistrates they were all cleared away on Thursday night, with the exception of the circus and the old clothes market, which are more or less permanent. The effect of this clearance was that a much larger space was obtained by the spectators, who were much less crowded than they would otherwise have been. No fewer than four rows of strong barriers were erected in front of the Jail, which were placed so as to break the pressure. The innermost barricade was at a considerable distance from the scaffold, and all round the Jail a large extent of ground was left clear. The public were entirely excluded from Hutcheson Bridge, which leads directly to the front of the prison, and from which a good view of the spectacle might have been obtained. It appears, however, that the bridge is in an unsafe condition, and it was considered prudent not to permit any one to go upon it.

It may be mentioned that the following executions at least have taken place on the same spot as the present one:—The execution of Riley in May, 1864, for the murder of a woman on the Holytown and Newarthill road, Lanarkshire; that of William Stewart, or "Collier" Stewart, about nine years ago, for the murder of an old man, a private watchman, at a pithead near Maryhill, in the

vicinity of Glasgow; that of Hans Smith or Macfarlane and Mary Blackwood, in 1853, for killing a man by throwing him over a window in the New Vennel of Glasgow; that of Archibald Hare, in 1849, for stabbing a man at Blantyre; and that of Mrs. Hamilton, about 1850, for poisoning a near relative.

The cell occupied by Dr. Pritchard was that in which Riley was confined. It is situated in the centre of the prison, and below the level of the street. It is reached from the back entrance of the building by a long, winding passage, and is about 12 feet long, 9 broad, and 9 in height, the walls, floor, and roof being of stone. Three-fourths of the interior are separated from the other by a strong iron railing, which runs from floor to roof across the ceiling; and it was in the larger and further division that the convict was confined.

The erection of the barricades on Thursday attracted much attention, and large numbers of people lounged in the neighbourhood of the prison all day. From about eight o'clock in the evening till midnight the crowd increased very much; and up till eleven the assemblage embraced a considerable sprinkling of respectable-looking people, but after that hour the crowd thinned considerably, and the dregs remained. Hundreds of the very lowest classes—drunkards, thieves, and vagabonds—took up their quarters for the night around the barricades. Altogether there was presented a collection of the most disreputable characters that could be seen anywhere, the greater number of whom spent the time in disturbing the neighbourhood with their yelling. The spectators during the night and early part of the morning consisted of about equal numbers of men and women. There were also, however, a good many boys and girls, and even children with their parents. Some of the more peaceably disposed lay down on the Green and slept till morning. Groups were formed, in which there were speculations as to how the prisoner would behave on the scaffold, and others joined in ribald jokes and unseemly jests. During the night there was a considerable body of police in attendance, which was largely augmented in the morning as the spectators increased in number. About one o'clock the sky became overcast, and a slight shower fell, which gave rise to apprehensions that the morning might be wet, but fortunately the rain wore off.

About two o'clock the scaffold was brought from a shed in Clyde Street, a short distance from the jail, and its appearance caused great sensation. The erection of the scaffold, which has been in use during the last fifty years, was watched with much interest. On the rope being fastened to the beam, a thrill of horror ran through the crowd. The fitting up of the scaffold was concluded about half-past three. The scaffold is a large, black-painted box, the interior of which is about 12 feet square, the sides rising 3 feet above the platform. The height of the beam is about 8 or 9 feet, and the rope was placed so as to let the culprit fall between 3 and 4 feet. The frame of the scaffold is on wheels, and is put together for the most part with bolts. The platform is reached by a broad flight of steps. Underneath the scaffold, as usual, a coffin was placed. It was a plain, black shell, and certainly appeared scarcely long enough for the body it was to contain.

Dr. Pritchard sat up till a late hour on Thursday night, and occupied the most of his time in reading and writing. The subject to which his mind was directed appeared to be the same as during the day, and was evidently of a religious character, as he frequently turned up passages of Scripture as he was writing.

After he went to bed he slept soundly till half-past five o'clock, when he was awoke by the attendants. Although up till last night he continued calm and composed, his pale appearance indicated that the confinement and the mental anxiety were telling upon him.

A gentleman connected with the North Prison visited the prisoner on Thursday in his cell in order to bid him farewell. After some conversation the gentleman bade Dr. Pritchard adieu, when the latter, shaking his friend warmly by the hand, said, "Farewell; I am prepared to die to-morrow morning. I trust in the Lord Jesus"; and, laying his hand upon one of his attendants, said to him fervently, "Believe in the Lord Jesus Christ." On Thursday the prisoner wrote a long letter to "his dear Fan"—his eldest daughter. When he spoke about his children his eyes filled with tears, and he seemed overwhelmed with grief.

The Rev. Mr. Doran, the prison chaplain, remained with Dr. Pritchard till about eleven o'clock, and the wretched man seemed to join fervently in the devotional exercises. To Mr. Doran he seemed to have become very much attached. That gentleman was most attentive and assiduous in his ministrations to the unhappy convict. His services were evidently much appreciated, and resulted, humanly speaking, in much comfort and benefit to the recipient. Before leaving the North Prison, Dr. Pritchard made an earnest request that Mr. Doran might visit him in the South Prison as much as possible during the few short hours he had to live; and as a memento of the many solemn interviews they had together, Dr. Pritchard left for his spiritual adviser a series of Scripture texts or quotations, very neatly written on slips of paper, from which he had derived, in the course of his incarceration, especial comfort.

In the course of the morning, before the execution, the burying-ground for condemned criminals was visited with interest by those who had been admitted to the Jail. The burial-place is in the courtyard, which is overlooked by a large number of cells. The resting-place of Riley is marked with the date "1864," and other graves are indicated by single figures and the "broad arrow."

The crowd did not gather so speedily on this occasion as at the execution of Riley. Up till about five o'clock the numbers were comparatively limited; but after that hour the assemblage gradually increased in size until Jail Square and a considerable portion of the Green were covered with spectators.

Shortly after five o'clock a number of persons came upon the ground with large boards, on which Scripture texts were inscribed, and about the same time the crowd was addressed at different points by the Rev. Mr. Howie and the Rev. Mr. Wells, of Glasgow; Mr. Kirkham, secretary of the London Open Air Mission; Mr. Dickson, from Dublin; Mr. Harrison Ord, revival preacher; and Mr. Duncan Mathieson. The services, for which permission had been granted by the magistrates, were continued till about seven o'clock.

When the prisoner was awoke by his attendants about half-past five o'clock he was quite tranquil, and seemed to have got refreshing sleep. He, however, partook of very little food before execution. Mr. Stirling, governor of the prison, entered the cell soon after the prisoner rose, and in reply to a question put by him how he was, the wretched man said he was "fine." In the words of another official he was "brisker than on any morning since his confession." In the course of the morning he made reference to his approaching execution to some of those who were with him in the cell, and said that he fully

allowed the justice of his sentence, and that he was prepared to go to the scaffold. Shortly after six o'clock the Old Court-room was opened for the proceedings that uniformly take place immediately before executions in Glasgow. It is the custom to bring the prisoner from the condemned cell to the Court-room, and the question is put by the presiding magistrate to the culprit whether he has anything to say why the sentence of death upon him should not be carried into effect. The lower part of the Court-room was soon filled by officials, representatives of the press, and others who had been admitted by ticket. Among those present were Councillor Bryson, Edinburgh, who came along with several other gentlemen for the purpose of taking a cast of Pritchard's head for the Phrenological Society of Edinburgh; Mr. James Nicol Fleming of Kilkerran; Mr. C. D. Cooper, Mr. Thomas Thomson, Councillor Corbett, Councillor James Thomson, Dr. Leishman, surgeon of the prison, &c. On the table was placed a bottle of wine in case the prisoner might be disposed to take some refreshment before being led forth for execution. About half-past seven o'clock Calcraft appeared on the scaffold and looked about him for a minute. He was soon recognised by the assemblage, who greeted him with cheers and hisses; but there is no doubt that the cheers were more general than the hisses. After satisfying himself that the apparatus was in proper condition, he withdrew.

The Rev. Dr. Macleod and the Rev. Mr. Oldham, at the request of the convict the previous evening, visited him in his cell between six and seven o'clock. The Rev. Mr. Doran, who had been with him the previous evening at a late hour, also visited the prisoner a little later.

Precisely at eight o'clock the magistrates took their seats on the bench. In the absence of the Lord Provost, Bailie Brown presided, and along with him were Bailies Gilkison, Raeburn, Wilson, Merilees, Wm. Taylor, Salmon, Mr. Turner, town-clerk; and Mr. Watson, city chamberlain. Immediately on the magistrates taking their seats, the town-clerk handed to the presiding magistrate a receipt to be given to the governor of the Jail for the person of the prisoner. For a few minutes there was the utmost stillness, and an awe-inspiring feeling pervaded every one.

At five minutes past eight, after the prisoner was pinioned, prayer was offered up by Mr. Oldham, the Episcopal clergyman, while the melancholy procession was moving from the condemned cell. The service, which was distinctly heard by the people above, was concluded on arriving at the foot of the stair leading to the Court. There was then a minute of breathless suspense; spectators could not be constrained to keep their places by the cry of "Seats! Seats!"; and every person in the Court was soon standing up in order to get a look at the criminal.

Mr. Stirling, governor of the prison, was the first to step on the floor of the Court. He was followed by the Rev. Mr. Oldham, the Rev. Mr. Doran, the Rev. Dr. Macleod, and the jailer. The prisoner came immediately after the jailer, accompanied by two or three policemen, and followed by Calcraft. The wretched man was attired in the black suit of mournings in which he was apprehended, and in which he appeared at the trial. His arms were firmly strapped, but he walked along with freedom. He was exceedingly pale, and quite changed in appearance from what he was at the trial. In coming up the stair, he looked upwards and moved his lips as if in silent prayer.

On reaching the top of the stair, he advanced to the table in

front of the bench; and he turned round and spoke to the governor as if doubtful what he should do. The governor told him to stand at the table, when Bailie Brown then asked the prisoner, in an almost inaudible tone, if he had anything to say. The convict then bowed to the magistrates and said in a low tone, "I acknowledge the justice of the sentence." He again bowed to the bench, and a short conversation took place as to the proper way to the scaffold.

The procession was then re-formed, the town officers going first, and Pritchard following, with Calcraft immediately behind. The prisoner, before leaving the Court, looked around him, and then, with his face upwards and muttering a prayer, he passed through the lobby into the principal entrance and thence to the scaffold.

As soon as he left the table in the Court there was a general rush to the door on the part of the spectators, when the captain of the police called out that the order of the procession was that the magistrates should come first, the reporters next, and the others in Court afterwards. However, after the prisoner had got beyond the door of the Court the crowd pushed forward, and the passages were blocked up.

Before the last person who left the Court could reach the front of the Jail Dr. Pritchard was standing on the scaffold with the white cap on his head, and Calcraft adjusting the rope round his neck. He walked firmly up the steps to the scaffold, and stood quite erect while he was being handled by the executioner.

He slightly stumbled on coming to the drop, which he struck against with his foot unwittingly, but he promptly recovered himself, and stood firm, without moving a muscle. When he appeared on the scaffold great commotion prevailed amongst the crowd. Exclamations were heard to proceed from every quarter, among which were such expressions as "How well he looks!" "He's very pale!" "That's him!" and "Hats off!" &c. Mr. Oldham read a short written prayer, while Calcraft adjusted the cap, put aside the long hair and beard to allow the rope to be rightly placed, and tied the legs. Calcraft, after putting the rope round the prisoner's neck, and drawing the cap over his face, steadied the wretched man by placing his hands on his back and breast. On a signal being given by the culprit, the bolt was drawn, and at ten minutes past eight o'clock he was launched into eternity.

As soon as he was seen dangling from the rope a loud shriek arose from the crowd, and many turned their heads away from the horrid spectacle. The clergymen accompanied Pritchard to the scaffold, but retired afterwards, and no person was with him when he was hanged by Calcraft. Shortly after the drop had fallen, a large number of spectators quitted the vicinity of the scaffold, many of them being observed to shed tears.

There was no screen put round the scaffold, as at some recent executions, but the body was exposed fully to public view. The convict appeared to suffer a good deal, as he shrugged his shoulders more than half a dozen times, his head shook, the whole body trembled and swung round and round; and it was only after Calcraft went below and pulled the legs that it was brought to stillness. The hands were extended as far as they could reach for the pinioning; and the fingers of the right hand pressed off the glove, which fell to the floor. After the lapse of two or three minutes all was quiet, and justice was avenged.

It may be mentioned that before the procession left the condemned cell, an officer ran hastily downstairs with two letters, which were said to be for the prisoner.

Appendix XVII.

The body hung till a quarter from nine, when it was lowered so suddenly that the bottom was knocked out of the coffin, which was only a plain, pauper shell. It was soon repaired, and Dr. Leishman, in presence of two of the magistrates, having certified the death, the body was taken to the vault below the Court-house, where the beard and hair were shaved off previous to a cast being taken. The body was interred at one o'clock beside that of Riley.

The conduct of the crowd was very decorous latterly. There was no manifestation of feeling against the prisoner when he appeared on the scaffold, but rather approaching silence. After the first murmur of curiosity had passed, Calcraft, who had a faded rose in his buttonhole, met with a hooting on ascending the scaffold to lower the body.

APPENDIX XVII.

Previous Executions in Glasgow.

List of all the Criminals who have been Executed in Glasgow for the last 61 years, with their Names and Crimes, and the place and time of their suffering, being a very curious and interesting paper.—November, 1826.

Executed at the Howgatehead, where the Monkland Canal Basin is.

	Date of Execution.
Hugh Bilsland—robbery	1765, July 10
Agnes Dougall—murder	1767, Nov. 4
Andrew Marshall—murder	1769, Oct. 25
He was hung in chains.	
Wm. Mitchell and Christopher Jordan—robbery ...	1773, Nov. 17
George M'Taggart—housebreaking and theft ...	1775, June 21
Robert Hislop—housebreaking and theft	1781, June 6

Executed in the Castle Yard, where the Infirmary now stands.

James Jacks—robbery	1784, July 7
James and William Brodie and Jean Lindsay—housebreaking	1784, Nov. 3
Neil M'Lean—forgery	1785, June 1
David Steven—murder	1785, June 8
Thomas Vernon—robbery	1785, Nov. 9
James Spence—housebreaking and theft	1786, June 7
Elizabeth Paul—housebreaking and theft	1786, Oct. 25
John M'Aulay, Thomas Veitch, and Thomas Gentles—robbery	1787, May 23

Executed at the Cross.

Walter M'Intosh—robbery	1788, Oct. 22
William Scott—housebreaking and theft	1788, Dec. 3
This criminal was tried and condemned by the Sheriff.	

Dr. Pritchard.

	Date of Execution.
John Brown—forgery	1790, June 9
James Day—murder	1790, Oct. 20
James Plunkett—robbery	1792, Jan. 11
James Dick—murder	1792, May 16
Mortimer Collins—murder	1792, Nov. 7
Agnes White—murder James M'Kenzie—robbery	1793, May 22
James M'Kean—murder...	1797, Jan. 25
John M'Millan—murder	1798, May 16
Peter Gray—hamesucken	1800, May 28
William Cunningham—theft	1803, June 8
David Scott and Hugh Adamson—forgery	1805, June 5
Adam Cox—murder	1807, June 10
James Gilchrist—murder	1808, July 20
John Gordon M'Intosh and George Stewart—housebreaking	1809, Nov. 8
James Ferguson—robbery	1813, May 26
William Muir and William Mudie—robbery ...	1813, Nov. 17

Executed in front of the New Prison.

William Higgins and Thomas Harold—robbery ...	1814, Oct. 19
John Sherry—robbery	1815, Nov. 1
William M'Koy—forgery	1817, May 28
Freebairn Whitehill—robbery ... ... Wm. M'Kechnie and James M'Cormick—housebreaking and theft, ...	1817, Oct. 29
William Baird and Walter Blair—robbery	1818, June 8
Matthew Clydesdale—murder Simon Ross—housebreaking	1818, Nov. 4
Alexander Robertson—housebreaking and theft ...	1819, April 7
Robert M'Kinlay, Hunter Guthrie, John Forbes, and William Buchanan—housebreaking and theft ...	1819, Nov. 3
John Buchanan—murder	1819, Nov. 17
Richard Smith—housebreaking	1820, May 31
James Wilson—treason (hanged and beheaded) ...	1820, Aug. 30
Daniel Grant, Peter Crosbie, John Conner, and Thos. M'Colgan—housebreaking and robbery	1820, Nov. 8
William Leonard Swan—forgery	1821, June 5
Malcolm M'Intyre, Wm. Paterson, and James Dyer —housebreaking	1821, Oct. 24
Wm. Campbell—housebreaking and theft	1822, May 29
Thomas Donnachy—housebreaking and theft ...	1822, June 5
John M'Donald and James Wilson—housebreaking and theft	1823, June 4
Francis Cain—robbery George Laidlaw—theft	1823, Oct. 29
David Wylie—housebreaking and theft	1823, Nov. 12
Wm. M'Teague—uttering forged notes	1824, May 19
John M'Creevie—housebreaking and theft	1824, June 2
Wm. Divan—murder	1824, July 21
James Stevenson—highway robbery	1825, June 1
James Dollan—street robbery	1826, June 7
Andrew Stewart and Edward Kelly—street robbery	1826, Nov. 1

Appendix XVII.

The broadsheet, which is dated 1826, concludes here; but from the records kept in the City Chamberlain's office we have been enabled to complete the list as follows:—

	Date of Execution.
James Glen—child murder	1827, Dec. 12
William Porter and John Hill—assault and robbery	1830, May 12
Wm. M'Pheat—wife murder	1830, Sept. 29
Dd. Little—stouthreif	1831, Jan. 27
Jas. Campbell—theft by housebreaking	1831, May 16
Jas. Byers and wife—murder	1831, Oct. 6
Wm. Heath—robbery of Watson's bank	1831, Oct. 20
Wm. Lindsay—murder	1832, Jan. 18
George Doffy—murder	1832, Nov. 7
Henry Burnet—murder	1833, Feb. 1
John Barclay and Philip Cairney—murder	1833, May 14
Hugh Kennedy—murder	1834, Jan. 20
George Campbell—murder	1835, Sept. 29
Mrs. Jaffray—murder, by poison, of two persons ...	1838, May 21
Thomas Templeton—murder of his wife	1840, May 27
Dennis Doolan and Patrick Redding — murder (executed at Crosshill, Bishopbriggs)	1841, May 14
Chas. Mackay—wife murder	1843, May 18
Mrs. Hamilton—poisoning her sister at Strathaven	1850, Jan. 31
Arch. Hare—murder	1851, Oct. 24
Hans Macfarlane and Helen Blackwood—robbery and murder	1853, Aug. 11
Alex. Stewart—murder of Welsh at Maryhill ...	1855, May 23
John Riley—murder	1863, May 15
Dr. Pritchard—murder of his wife and mother-in-law	1865, July 28

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